

Totalitarianism

Political

Trials

16 JAN — 28 Feb

1978

Terrorism

retrial begins

Pretoria Bureau

With armed policemen standby, the retrial of people on a number of terror charges began in Supreme Court, Pretoria today.

The 12 accused are Mosima Sexwale, Mr Naledi Tsiki, Mr Leli Motaung, Mr Simon Mohlanyaneng, Mr Elias Masinga, Mr Martin Ramokgadi, Mr Joe Gqabi, Mr Petrus Mchabeleng, Mr Nelson Diale, Mr Michael Ngubeni, Mr Jacob Seatholo and Mrs Paulina Mohale.

The trial became necessary when the previous trial judge, Mr Justice Davidson, died in November last year. Judge Davidson had been sitting on the Bench alone.

The trial had started in June and when the judge died, more than 100 witnesses had given more than 2 600 typed pages of evidence.

(Proceeding)

Mr A. Chaskalson, Mr D. Kuny, Mr L. Bowman are appearing for the accused, and Mr N. Gey van Pittius, assisted by Mr M. Donen, for the State. Mr Justice Myburgh is on the Bench.

Political Trials

16/1/78 - 28/2/78

ARGUS 12/1/78

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Terror retrial of 12 opens in Pretoria

The Argus Correspondent JOHANNESBURG. — The 12 accused in the Pretoria terror trial were involved in a conspiracy to overthrow the South African system of government.

This was alleged by the State when the re-trial of the 12 resumed in the Supreme Court, Pretoria today.

The 12, who have all pleaded not guilty to the terror charges against them are Mr Mosima Sexwale, Mr Naledi Tsiki, Mr Lele Motaung, Mr Simon Mohlanyaneng, Mr Elias Masinga, Mr Martin

Ramokgabi, Mr Joe Gqabi, Mr Petrus Nchabeleng, Mr Nelson Diale, Mr Michael Ngubeni, Mr Jacob Seatlholo and Mrs Paulina Mohale.

JUDGE DIED

Their re-trial became necessary when the previous judge, Mr Justice Davidson, died before the first trial was completed.

The State claims that one of the accused was detained near Border Gate in the Barbeton district in 1976, but he escaped by throwing a hand-grenade which seriously injured

two policemen and damaged a police vehicle.

Another accused is alleged to have sabotaged a railway line in the Pietersburg district in 1976.

The 12 are alleged to have been involved in smuggling recruits out of the country for military training, and to have established arsenals. Some are alleged to have been found in possession of Scorpion sub-machine guns, Tokarev pistols, hand-grenades and other explosive devices.

Terror trial charge decision today

Own Correspondent
PRETORIA. — The new ANC-terrorism trial judge, Mr Justice Myburgh, will this morning give judgment on the admissibility of a new indictment brought by the State in the trial.

The defence, headed by Mr A Chaskalson SC, yesterday objected in the Pretoria Supreme Court to the indictment, which was handed to the defence last week.

Mr Chaskalson said that the 12 accused in the trial, which has had to start afresh after the death of the original trial judge Mr Justice Davidson, were entitled to stand trial on the original indictment.

Mr Nic Gey van Pittius, for the State, submitted that the new indictment — which does not appear to differ substantially from the original — was valid.

The 12 accused, one of them a 27-year-old woman, have all been in custody for more than a year following their arrest during the 1976 Christmas season.

The first trial started at the end of June and was postponed in October to

November at the end of the State case.

However, before it could resume, Mr Justice Davidson died and the Attorney-General ordered a completely new trial.

The 12 are alleged to have taken part in urban terrorism activities over a 15-year period from 1962 with the aim of overthrowing law and order. Some of them are alleged also to have had training in guerilla warfare in China, Russia, Swaziland and Mozambique.

When the State case was closed more than 100 witnesses had testified, and more than 70 volumes of evidence — totalling nearly 3 000 pages — had been taken.

On trial are Paulina Mamagotla/Mohale, Mosima Greece Gabriel Sexwale, 24, Naledi Tsiki, 21, Lele Jacob Motaung, 44, Simon Samuel Mohlanyaneng, 23, Elias Tieho Masinga, 24, Martin Nafefo Ramokgadi, 67, Joe Nzingo Gqabi, 48, Petrus Mampogoane Nchabeleng, 50, Nelson Letsaba Diale, 41, Michael Mpandi Ngubeni, 42, and Jacob Gaonakala Seatholo, 47.

RECEIVED 11/11/78
TO THE ATTORNEY-GENERAL
FROM THE ATTORNEY-GENERAL
RE: THE STATE CASE
IN THE MATTER OF THE
ANC-TERRORISM TRIAL
JUDGMENT ON THE
ADMISSIBILITY OF THE
NEW INDICTMENT
11/11/78

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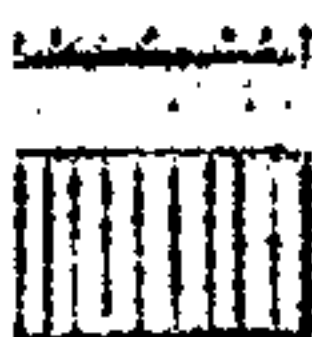
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Court told of flight

Mercury Reporter

19/1/78

PIETERMARITZBURG — An accused in the terrorism trial here yesterday told the Supreme Court how he had fled the Republic while facing charges for his association with the Pan African Congress, a banned organisation.

Mr. Stanley Pule (33) said he was 17 years old when he joined the PAC after being influenced by an older friend. After he had attended two of their meetings he was arrested by the police.

He was kept in custody for some time but was released on bail before he stood trial. He then fled to Botswana in July 1963 "because I was afraid."

Mr. Pule and two others, Mr. Isaac Mhlekwa (49) and Mr. Nogaga Gxekwa (47), have pleaded not guilty to

participating in various terrorist activities which include undergoing military training in various African States.

Mr. Pule told Mr. Justice Hoexter and two assessors yesterday that he was regarded as a political refugee by the Botswana Government and stayed with many other refugees at a place known as the White House.

Education

He wished to obtain a scholarship and further his education. However it was difficult to obtain a scholarship unless an approach was made by a recognised political organisation on his behalf.

In February 1964 Mr. Pule and others went to Tanzania, via Zambia. They left Botswana in a truck hired by Swapo. The group consisted of eight prospective students, four PAC members and a number of Swapo members, said Mr. Pule.

A PAC official advised his group that they should rejoin the PAC — which would then be prepared to carry out their requests for scholarships — as no refugees could enter Tanzania unless represented by a political party which supported the liberation movement.

The group later reached Mbeya, Tanzania where they spent the first night in the local police station. They later lived in a house run by Unip — the United National Independent Party of Zambia for a week.

From Mbeya the group went to Dar-Es-Salaam. There Mr. Pule met

members of Swapo whom he knew from Francistown. They took him to the Mgulani refugee camp where there were about 200 refugees from South West Africa, Mozambique, Angola, the Sudan and South Africa.

There they were given an allowance of 21 shillings a week paid to them by a Tanzanian policeman through the Christian Council.

The last State witness yesterday, Lieutenant Andre Erwee, told the Court that he would have been aware of any assaults on detainees he had arrested. He didn't believe that any Security Branch policeman stationed at the Ingwavuma Police Station would have tortured detainees.

The trial continues today.

NM. 18/1/78

(331)

ANC is 'tool of Reds' in S.A.

Mercury Correspondent
PRETORIA — Prosecuting counsel yesterday told the new ANC-terrorist trial in Pretoria that the State would prove that the banned African National Congress was being used as a tool by the South African Communist Party to overthrow the South African Government.

In his opening address at the start of the trial, Mr. Nic Gey van Pittius said that the master plan was to subjugate the Black national revolution to Marxism-Leninism, with the net result being a successful ANC revolution.

This would lead then, the State contended, to a White-dominated, Russian Marxist Government in South Africa.

It would be argued, he said, that the 12 accused appearing before Mr. Justice Myburgh and two assessors in the Pretoria Supreme Court were not only "terrorists" but were "selling out" Black national liberation to Russia.

Upheld

When the trial started yesterday morning Mr. Justice Myburgh upheld a defence objection on Monday to a new indictment presented by the prosecution and ruled that the old indictment was still valid.

Mr. Gey van Pittius said that the "conspirators" on trial would be shown through evidence to have exploited the Soweto unrest in June, 1976 to further the recruitment of cells in the underground organisation.

The first witness yesterday, Mr. Charles Buthelezi, told of leaving South Africa to go to Mozambique, Tan-

zania and then Russia for training so he could return to the Republic and "fight the Boers."

He said he spent four weeks in Russia before being sent back to Africa after he had become involved in a dispute with two of the accused, Mr. Mosima Gabriel Sexwale (24) and Mr. Lele Jacob Motaung (23).

Once back in Mozambique he was thrown into prison and then eventually "deported" back to South Africa — it taking eight Frelimo soldiers to "push" him across the border into

the arms of the South African Police at Komatipoort.

He told the police that he had been arrested by the soldiers when he was hunting in the Mahaha Forest in Mozambique. But the police did not believe his story.

Under cross-examination from Mr. A. Chaskalson SC, for the defence, he said the police told him that their information was that he had been a member of the ANC and was involved in recruiting activities in Mozambique. But this was not so.

Pleading not guilty to charges of subversion and revolutionary activities over a 15-year period are one woman, Miss Paulina Mamgotla Mohale (26), and Mr. Sexwale, Mr. Tsiki, Mr. Motaung, Mr. Simon Samuel Mohlanyaneng (23), Mr. Elias Tieho Masinga (24), Mr. Martin Mafefo Ramokgadi (67), Mr. Joe Nzingo Gqabi, Mr. Petrus Mampogoane Nchabeleng (50), Mr. Nelson Letsaba Diale (41), Mr. Michael Mpandeni Ngubeni (42) and Mr. Jacob Gaonakala Seatholo (47).

The trial continues today.

Barring foreign funds

Talk that a law may be passed to stop money coming into SA to meet legal costs in political trials is causing concern in legal circles. Justifiably.

There is every reason to believe that the rights of the accused in political cases will be gravely prejudiced if the legislation is enacted. The rights of the ordinary citizen to bring civil actions against the State or its officers could also be seriously diminished.

There seems little doubt that it was the recent inquest into the still-unexplained death of Steve Biko that gave rise to pressures for government action to prohibit foreign funding. The horrifying details of how Biko was treated in detention which counsel for his family prised out of the security police caused untold damage to SA's reputation abroad.

The Nationalist Party's parliamentary justice group was recently reported as likely to discuss the question of legislation with Justice Minister James Kruger early in the parliamentary session starting on January 27. The group's chairman, Pretoria advocate and MP for Waterkloof Tom Langley, tells the *FM* that the possibility of legislation is "mere speculation at this stage." He adds, however, that "although I haven't yet applied my mind to it, I would favour it."

Langley says SA has a "very effective system of legal aid, including *pro deo* counsel in trials on capital charges. Formally, I would not be opposed to people getting money overseas, but in some cases the money is politically tainted and that is what annoys me.

"I think money is being wasted in this process. Counsel is entitled to his fees, but in some cases services are obtained over-abundantly. There are seniors, juniors, teams of counsel, in cases which could be dealt with by only one counsel."

Broadly-speaking, two kinds of assistance are available to people unable to pay for lawyers themselves. Firstly, as Langley points out, people charged with offences carrying the death sentence can obtain counsel on a *pro deo* basis. Secondly, financial aid can be obtained through the Legal Aid Board set up under the Legal Aid Act of 1969 to provide assistance to "indigent persons."

Both systems have serious drawbacks, however. The board applies a means test to applicants: basically, the effect is that white with an income above R140 a

month, a coloured person or Indian with more than R105, and an African with more than R95 does not ordinarily qualify for legal aid. These amounts are increased where the applicant has depen-

Even where *pro deo* counsel, paid for by the State, is available, there are grave drawbacks. Generally speaking, only one counsel is appointed to appear for the accused in such cases, and he normally

Justice must not only be done and be seen to be done. It must be paid for. Any attempt by government to cut off foreign funds for political trials should strenuously be resisted.

dent children, and the board also has the discretion to provide assistance to people with incomes above the minima if it is satisfied that they are nevertheless indigent.

The board's director, J J A Mostert, tells the *FM* that since its inception six years ago it has received nine applications for assistance from people charged under security legislation and granted all of them.

Nevertheless, the fact remains that the board's responsibility is to provide assistance to the indigent: the means test would thus exclude a great number of potential applicants.

People who do not qualify for assistance from the board and who are not charged with capital offences are left in limbo, since defence on a *pro deo* basis is not available to them.

appears without the all-important assistance of instructing attorneys. The work-load on one man in complex political cases can often be very heavy.

For a young advocate, just starting at the Bar and without a great deal of work coming his way, a handful of *pro deo* briefs may come as a welcome break. And in practice, most *pro deo* briefs go to young juniors.

But it is no reflection on the legal profession to say that *pro deo* briefs are not popular. The advocate is usually paid a flat rate of R30 a day, whereas a spokesman for the Johannesburg Bar Council points out that even the most junior advocate defending a person on, say, a murder charge would normally command a fee of more than R100 a day.

So advocates appearing on a *pro deo*



James Kruger . . . a wide issue but the principle's simple

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basis are in effect very often subsidising the defence of their clients.

The pre-trial costs in political cases are often enormous. Counsel and their attorneys are often tied up for weeks in consultations with their clients, interviews with potential witnesses, and discussions with experts in various fields which may be relevant to the case. For this, the *pro deo* system makes little or no financial allowance. One veteran of political trials tells the *FM* that top members of the Bar can sometimes spend up to three months preparing a case.

Inevitably then, counsel appearing *pro deo* in complicated political trials stand to have to make substantial financial

sacrifices if their clients are to be assured of a proper defence.

If Kruger does decide to forbid money coming in from abroad for the defence in political cases, there can be little doubt that the legal rights of the accused could be gravely jeopardised.

Langley's claims to the contrary notwithstanding, SA does not have an adequate system to provide legal representation to people who cannot afford to pay for it themselves.

Nor should it be forgotten, as a top man at the Bar points out, that the State as prosecutor in political — as in other — cases has almost unlimited resources at its disposal: ie taxpayers' money.

To argue, as *Beeld* did in a recent editorial, that foreign funding is "political interference" in SA, is misguided. The fact that individuals and organisations abroad are prepared to pay the costs of SA lawyers appearing in SA courts represents, if anything, a vote of confidence in the country's judiciary and its legal system.

Justice in SA has already gravely been damaged by all the laws providing for detention and other forms of punishment without trial. It is to be hoped that the Bar and the Side-Bar will protest with all their might against any further attempts to damage the cause of justice in this country.

TRIAL TOLD OF PISTOL IN SUMP

Mercury Correspondent

PRETORIA — A Black witness told the Pretoria ANC-terrorism trial yesterday how one of the accused had unearthed a machine-pistol out of a motor vehicle engine sump and shown him how it worked.

The witness, who may not be named in terms of a ruling from the Bench — made on the request of State counsel, Mr. Mike Dohen, to protect him — identified a communist-made Scorpion machine-pistol before Court as the weapon concerned.

Twelve Blacks, one of them a woman, have pleaded not guilty before Mr. Justice Myburgh and two assessors in the Pretoria Supreme Court to charges under the Terrorism Act, alleging subversive and revolutionary activity over a 15-year period up to the time of their arrests.

Yesterday's witness said he came to know accused No. 11, Mr. Jacob Gaonakala Seatlholo (47) in October-November 1976.

Struggle

On one occasion Mr. Seatlholo showed him the machine-pistol in Alexandra Township, extracting it from the sump of a car.

Mr. Seatlholo showed him how it worked, but they struggled to collapse it to put it away again — and Mr. Seatlholo said "We'd better leave it or we will kill ourselves."

At another stage he had in his possession two plastic bags containing packets which had a "powder" in them, also handed to him by Mr. Seatlholo for safekeeping.

On New Year's Eve, 1977, he was called to Mr. Seatlholo's home, where he found Mr. Seatlholo's wife and children.

There he found a big tin containing packets under a bed in an outside room.

Handgrenades

He opened three of the parcels. One contained a gun, the second a small brown tin and a third two round objects which looked like handgrenades.

He took the tin home and buried it, later revealing it to the investigating Security Police.

In cross-examination by Mr. A. Chaskalson SC, for the defence, the witness said that it had been his intention to hand the articles to the police.

He took the police willingly to show where the tin had been buried.

He was cross-examined at length on his testimony at the original trial last year — which was terminated by the death of Mr. Justice Davidson.

He denied that he had implicated Mr. Seatlholo to get out of trouble himself.

He denied that he had given false evidence yesterday and was taken over facts of his original evidence in comparison with yesterday's evidence.

The hearing continues on Monday.

Teenagers jailed for 5 years in sabotage case

27/1/78
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PORT ELIZABETH—Two youths, aged 14 and 16, have each been jailed for five years by a regional court in Fort Beaufort after they were convicted of sabotage.

Both pleaded not guilty of sabotage, alternatively arson. It was alleged that on October 29 they burnt down the Bantu Affairs Administration Board offices in Fort Beaufort.

The building and all the records were destroyed and damage was estimated at R12 600.

Another youth, aged 17, facing similar charges, was acquitted.

In passing sentence, the magistrate, Mr B. P. Loots, told the youths that a conviction of sabotage carried a jail sentence of at least five years. He said this had been senseless destruction of property.

Mr J. Cillier, a manager

of the board, told the court that when he arrived at the scene the building was in flames and the roof was sagging.

The fire brigade was unable to put out the fire.

A W/O Knoetze told the court he was awoken by a loud bang and saw the BAAB offices on fire.

The heat of the fire was so intense he could not get near the building. Next morning he found an oil container which was partly burnt.

W/O Knoetze said there was a fingerprint on the drum which was subsequently proved to be that of the youth of 16.

The youth of 14 made a statement in which he admitted his guilt. In mitigation, one of the youths said he had not realised that his part in burning the building would have such heavy consequences.

Mr P. Crous appeared for the State. The youths were not represented. — DDC.

21/1/78 N.M. (331)

Threat to witness in Terrorism Act trial

Mercury Correspondent

PRETORIA — A young Black witness, clearly in an agitated state, yesterday told the Pretoria ANC-Terrorism Act trial that he had been threatened with death if he testified.

As he entered the witness box in the Pretoria Supreme Court the young man said that "some people" had threatened him.

Mr. Justice Myburgh ordered his name not to be used in any reports on his evidence, or that he be otherwise identified.

After he had testified for a while, the youth became more agitated and asked for a chair to be able to sit down and testify.

He said that he was "not feeling well" and gave the rest of his evidence from a chair in the box.

He told the Court that he met accused No. 10, Mr. Michael Mpandeni Ngubeni (42) at Rustenburg towards the end of 1976.

Mr. Ngubeni was related to him by marriage, and he often slept at Mr. Ngubeni's home because Mr. Ngubeni was living there alone with his wife and worked in Johannesburg.

They often spoke, and Mr. Ngubeni on occasion talked of the formation of "cells" in the area.

On an occasion they discussed obtaining petrol "for burning."

Under cross-examination from Mr. D. Kuny, he said that Mr. Ngubeni had never shown him how to make a petrol bomb.

He considered the remarks made about the cells as "sheer madness and just talk."

Nor did Mr. Ngubeni say anything about him becoming "a soldier."

Questioned by Mr. Justice Myburgh, the youth said that he and Mr. Ngubeni had discussed "many things." Mr. Ngubeni was a talkative man.

The talk about petrol took place "at the stage of the riots."

Twelve Blacks, one of them a 26-year-old woman, have pleaded not guilty.

They have been charged with subversive, revolutionary activity and planned urban terrorism on the Rand and elsewhere in the Transvaal over a 15-year period up to the time of their arrests at the end of 1976 and early in 1977.

Five of the accused are also alleged to have undergone military training outside South Africa.

Messrs. Mosima Gabriel Sexwale (24), Naledi Tsiki (21) and Lele Jacob Motaung (24), allegedly trained in Russia; Mr. Elias Tieho Masinga (24) in Mozambique; and Mr. Joe Nzingo Gqabi (48) in China.

The hearing continues today.

Terror trial told of arson plan

PRETORIA — An accused in the terror trial here tried to recruit people to burn down offices at a Rustenburg black township, a witness said in the Supreme Court yesterday.

The accused, Mr Michael Ngubeni, and 11 others, have pleaded not guilty to conspiring to overthrow the Government, and other charges.

The witness, Mr Buti Zimba, said Mr Ngubeni asked him to recruit 16 people in November 1976.

He alleged he was told "these people had to do a lot of mischief in the location." This involved the burning down of Government buildings, including the police station.

Mr Zimba told the court that Mr Ngubeni showed him how to make a petrol bomb.

He alleged Mr Ngubeni said the recruits would be sent to Botswana for military training and would "come back and

fight against the Europeans". The 16 would be divided into four groups. Mr Ngubeni would be the overall leader and each group would have a leader.

The leaders would liaise with Mr Ngubeni, but the groups would not know about one another so that if one was arrested "it need not point to the other".

The witness alleged Mr Ngubeni said the groups would be called Saso. He denied at the previous trial (the case is a re-trial) he had told the court they would be called Cell 16.

Court proceedings were briefly interrupted at one stage yesterday to check whether Mr Ngubeni, who had been leaning forward in the dock, his face in his hands, was feeling ill.

Mr Ngubeni said he was not feeling very well but that the proceedings should continue.

The hearing continues today. — SAPA.

Freedom songs at PAC trial 331

BETHAL — The 18 alleged Pan Africanist Congress members — including an East London man — walked into court here yesterday stamping their feet, giving black power salutes and singing freedom songs.

They are charged with taking part in terrorist activities, conspiring to overthrow the Government and trying to revive the PAC.

The East London man is Mr Hamilton Keke, 42.

After Mr Justice Curlewis dismissed an application by the defence for a 2½ month adjournment, he granted a postponement until today for the defence to investigate the misjoining of some accused on certain alternative charges in the indictment.

In the 50-page indictment, the State alleges the offences were committed between 1963 and 1977 and all the accused were members or active supporters of the PAC.

While serving sentences on Robben Island three of the accused held secret

meetings and lectures to revive the PAC. It is also alleged some of the accused recruited people to undergo military training for the PAC abroad, and that one of the accused received training in Libya and returned to South Africa.

Mr Justice Curlewis refused an application for a postponement on the grounds that the indictment had been served on the accused two months ago and "no real, genuine effort was made to prepare for the trial."

"Justice is seen to be done where it is shown that the accused had ample time to engage counsel and prepare for the trial," he said.

He said the administration of justice did not only depend on what was convenient for the accused. The State's case could be substantially prejudiced if the witnesses were not brought in soon.

"I have personal experience of State witnesses who have been influenced," he said.

— DDC.

Section 6 student (331) charged

A Witwatersrand University student appeared in the Johannesburg Magistrate's Court yesterday on charges of possessing illegal literature and an unlicensed firearm.

The student, Mr Tom Waspe (24), was detained under Section 6 of the Internal Security Act last November.

At the time of his arrest he was a member of the Catholic Society.

Mr Waspe was released from detention yesterday.

The case was postponed until February 10.

Mr Waspe was released on R250 bail.

Gathering no Natal Mercury 2/2/48 fault of (321) praying Blacks

Mercury Reporter

PIETERMARITZBURG — An African who used five placards when he prayed at the Cenotaph in the city centre here for the Blacks killed in two world wars was acquitted in the Magistrate's Court yesterday of holding an illegal gathering.

Mr. P. J. Miller found that Mr. D. C. O. Matiwane (57) had not encouraged a gathering by his actions at the Cenotaph on November 11 last year.

Gatherings had been prohibited by a notice gazetted on September 30 last year.

Mr. Matiwane, a former political detainee, was arrested by two police constables after being questioned by Security Branch policemen.

He pleaded not guilty to the charge and denied he had addressed a large crowd as was testified by the two State witnesses — the policemen who had arrested him.

Mr. Miller said that the Court was faced with evidence on material aspects which was categorically denied by Mr. Matiwane and by a Sergeant Ngcobo, who had arrived with a White policeman about five minutes before the two State witnesses arrived and arrested the accused.

There was thus doubt about the evidence presented by the two State witnesses.

Mr. Miller said the African sergeant, called by Mr. Matiwane, had no reason to lie about what had happened.

He said the terms of the law under which Mr. Matiwane was charged were very wide, but he found the accused had not constituted, called, presided at or addressed the gathering. Nor had he encouraged the gathering by his actions.

"There seems to be no link between the actions of the accused and the spontaneous gathering by people at the scene."

Mr. Miller said to place a different interpretation on the law would open the door for prosecutions for spontaneous gatherings which some particular person did not encourage or promote.

An example was a jeweller who placed a display in his shop window, thus drawing a crowd.

Mr. D. Joubert appeared for the State. Mr. Matiwane conducted his own defence.

COURT HEARS ARGUMENT IN PAC TRIAL

Natal Mercury 2/2/78
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Mercury Reporter

PIETERMARITZBURG — There was no need for State witnesses to have falsely incriminated their former comrades, the Supreme Court heard during the PAC terrorism trial here yesterday.

This was said during legal argument by the prosecutor, Mr. Peter Rowan.

In the trial Mr. Stanley Pule (33), Mr. Isaac Mhleka (49) and Mr. Nogaga Gxekwa (47) have pleaded not guilty to participating in various terrorist activities.

The State alleges that all three accused underwent military training in Ghana, Algeria, Egypt, Tanzania and Zambia between September 1964 and April 30, 1968.

Instruction

The second count relates to Mr. Pule only. It is claimed that two of the camps where trainees stayed awaiting their return to South Africa were military transit and training camps at Mbeya, Tanzania, and Livingstone, where they underwent refresher military training.

At these camps Mr. Pule allegedly acted as a military instructor and participated in training others in military tactics, firearms, physical training and foot drill.

The third count is against

Mr. Pule and Mr. Mhleka. The offence is said to have been committed between July 1, 1975 and May 8, 1976 at Mkalame in the district of Ingwavuma, Zululand.

Probabilities

It is alleged that they gave instruction in the use of firearms, physical training, foot drill and hand-to-hand combat.

Outlining his heads of argument, Mr. Rowan said that should the accused be convicted on the first count, the probabilities were that Mr. Pule and Mr. Mhleka were equally guilty on the third count.

It was unlikely that after receiving military training they would have entered Mkalame, a known troubled area, to sell soft goods and not exploit the situation, said Mr. Rowan.

Conversely, should it be found that the accused did give military training, it was most likely that they previously received such training themselves.

There was the evidence of

two witnesses to support this. Although there were some flaws in their evidence, they should not be regarded as fatal defects, said Mr. Rowan.

Relating to the third count, Mr. Rowan said that witnesses testified against people who had done nothing against them. The witnesses probably thought that the accused were trying to assist them at the time. They were relative strangers to one another and there was no reason for the witnesses to exaggerate the role played by the accused.

There was also no apparent motive for them to lie.

Regarding the possibility of the evidence of the witnesses being a total fabrication, or alternatively that there was a substitution for Mr. Pule and Mr. Mhleka with others who gave training, Mr. Rowan said it would then be necessary to brand all the witnesses as liars.

However, he relied on the positive way in which all the witnesses identified the accused, he said.

Pressure

However, there remained the possibility for witnesses to concoct evidence because they were being held in custody. But all the witnesses denied that pressure had been put on them by the security police to implicate the accused, said Mr. Rowan.

Even if it was assumed that some pressure was brought upon them it was more likely to have the effect of the telling the truth. It was also unlikely that the security police would coerce witnesses to falsely implicate innocent people.

The trial continues today.

PAC trial 12/78 33 adjourned

BETHAL — It appeared that Bethal's Pan Africanist Congress trial would last for a long time, Mr Justice D J Curlewis said when he adjourned the hearing in the Circuit Court today until Monday.

He explained that he had given members of the defence team permission to absent themselves from the court today.

He had agreed to this to allow them to make further preparations for the trial and for personal reasons because "it appears all of us will be here for some time — for a very long time." — Sapa.

Mercury Reporter

PIETERMARITZBURG — The defence counsel in the PAC terrorism trial here yesterday criticised the fact that no proper identification parade was held for witnesses to positively identify the accused.

This could have resulted in mistaken identity, said Mr. Andrew Wilson, SC.

He was presenting his legal argument before Mr. Justice Hoexter and two assessors at the trial of Mr. Stanley Pule (33), Mr. Isaac Mhlekwā (49) and Mr. Nogaga Gxekwa (47).

They have all pleaded not guilty to participating in various terrorist activities.

Mr. Wilson was referring to the third count at the time, which relates to Mr. Pule and Mr. Mhlekwā.

It is alleged that they gave instruction in the use of firearms, physical training, foot drill and hand-to-hand combat at a secret training ground at Mkalamefene in the district of Ingwavuma, Zululand.

The offences are said to have been committed between July 1, 1975 and May 8, 1976.

Three of the five witnesses who gave evidence on this count were shown photographs of various peo-

Defence hits *at lack of* *identity parade*

ple, by the Security Police, for identification purposes.

Mr. Wilson stressed the dangers of witnesses identifying accused by photographs especially when they were known by a different name.

They might have resembled people well known to the witnesses, he said.

Some time had lapsed since the witnesses had last seen the "accused."

No attempt was made, with any of the witnesses, to hold a proper identification parade.

The witnesses, who were regarded as accomplices, knew that they would be detained until answering questions satisfactorily.

There had been mention of assaults and after being shown the photographs it was likely that they would

respond much more readily to suggestions, relating to the identification, said Mr. Wilson.

Referring to the other counts, Mr. Wilson said that had Mr. Pule been an active member of the PAC militant group, it was surprising that he didn't go to Cairo for military training with one of the witnesses.

Mr. Pule had belonged to a dissident group which wanted to get scholarships, he said.

There was evidence of two groups leaving Francistown for military training yet Mr. Pule didn't accompany either group.

This substantiated his claim that he belonged to a rebel group which wasn't interested in military training, said Mr. Wilson.

The trial continues today.

SA blacks 'learnt terror in China'

Pretoria Bureau

A Pretoria terror trial witness said today in evidence that he and one of the accused, Mr Joe Gqabi, went to China for a military training course in 1961.

The witness, who may not be identified, told Mr Justice Myburgh and two assessors he and Mr Gqabi

attended a course in Nanking for about six months. 6/2/78 (33)

There they were taught, among other things, the handling of small arms and how to make hand-grenades.

Mr Gqabi and 11 others, one a woman, have pleaded not guilty to conspiring to overthrow the Government and other charges.

The witness, who admitted that he was a former member of the African National Congress, said he, Mr Gqabi and others travelled by car to Botswana, followed a route through Africa by air, passed through Moscow and reached Peking in 1961.

Mr A Chaskalson, SC, for the defence, indicated to the witness that Mr Gqabi denied his evidence.

(Proceeding)

State witnesses refuse to talk

Two State witnesses, one 19 and the other 16, today refused to testify for the State at the start of a terrorism trial in the Rand Criminal Sessions.

Appearing before Mr Justice le Grange on a charge under the Terrorism Act and three under the Immigration Act, was Mr Moses Jabu Mkwana (29).

He pleaded not guilty on all counts.

It was alleged by the State that between September 1 and November 3 1976, Mr Mkwana had aided and encouraged 31 people to undergo military training in Swaziland.

The other charges related to alleged passport infringements while crossing the Swaziland border at Oshoek.

Mr Benedict Ndhlovu (19), the first State witness, said he could not give evidence in a case where he did not know the accused.

"I have no evidence to give," he said.

After being warned by the judge that the court would offer him all the protection he needed and that he faced up to two years in jail if he refused to testify, Mr Ndhlovu said: "I can't give evidence that I don't know."

The witness was asked to stand down and remain in police custody while he reconsidered his decision.

The second witness, who was also ordered to be placed in custody after he refused to give evidence,

JUDGMENT ON APPEAL RESERVED

BLOEMFONTEIN — Mr. Justice H. J. O. van Heerden reserved judgment in the Supreme Court here yesterday on an appeal by Barbara Waite, Ilona Kleinschmidt, Jackie Bosman and Helen Joseph against their conviction and sentence under Section 205 of the Criminal Procedure Act.

The four had been sentenced to various terms of imprisonment for having refused to testify in the case of Winnie Mandela, who had been charged with breaking the terms of her restriction order.

Mandela was found guilty of breaking a restriction order and judgment will be given in the Regional Court here on February 9.

Mrs. Ilona Kleinschmidt, wife of Horst Kleinschmidt, a former member of the Christian Institute in Johan-

nesburg now in the Netherlands, and Miss Bosman, an editorial member of the Financial Mail, were earlier sentenced to 12 months' imprisonment under Section 205 of the Criminal Procedure Act.

Mrs. Barbara Waite of Johannesburg had also been sentenced to a years' imprisonment by Mr. P. P. Venter.

Mrs. Helen Joseph (72) had been sentenced to four month's imprisonment for refusing to give evidence. — (Sapa.)

Name (first name)

Farm number

1. How did you

2. Have you ever

If yes, when

3. What sort of work (if any) would you rather do - either on a farm or somewhere else?

4. What jobs would you like your children to do?

Why?

5. If worker has not been to school: Why didn't you go to school?

If worker began but did not complete schooling: Why didn't you finish your schooling?

Problems

1.. What would you most like to see changed in your working conditions? (wage, payment in kind, hours, holidays)

In your living conditions? (housing, recreational facilities)

PAC trial is near climax

Mercury Reporter

Name PIETERMARITZBURG — Judgment in the Pan African Congress terrorism trial here will be given tomorrow.

Far In the trial Mr. Stanley Pule (33), Mr. Isaac Mhlekwa (49) and Mr. Nogaga Gxekwa (47) have pleaded not guilty to various charges under the Terrorism Act.

1. It is alleged that the accused underwent military training in Ghana, Algeria, Egypt, Tanzania and Zambia and that Mr. Pule and

Mr. Mhlekwa gave military training to others at Mkalamfene in the Ingwavuma district.

After recent shootings of former witnesses in terrorism trials Mr. Justice Hoexter made an informal request to the news media that the names of the witnesses not be published. It was feared they could be harmed.

In the trial Mr. Peter Rowan and Mr. Anton Ackerman appeared for the State. Mr. Andrew Wilson, SC, and Mr. Michael Daley appeared for the defence.

2. Have you ever thought of going to work in a city?
If yes, why don't you?

3. What sort of work (if any) would you rather do - either
on a farm or somewhere else?

4. What jobs would you like your children to do?
Why?

5. If worker has not been to school: Why didn't you go to school?

If worker began but did not complete schooling: Why didn't
you finish your schooling?

Problems

1.. What would you most like to see changed in your working
conditions? (wage, payment in kind, hours, holidays)

In your living conditions? (housing, recreational facilities)

Court told of training

PRETORIA — A well-spoken man — his identity protected by the court — told the ANC terror trial here yesterday of intensive military training of South African blacks in Peking.

He said the aim of the training was to engage in armed struggle with the authorities in South Africa.

The 12 people charged under the Terrorism Act with various acts of subversion, sabotage and planned revolutionary activity over a 15-year period up to last year, have pleaded not guilty.

Five are also alleged to have undergone guerilla warfare training in various communist countries.

Mr Justice Myburgh agreed to an application by the State counsel, for the court to be cleared and the witness' identity to be protected.

The witness said he joined the banned African National Congress in 1960 and went overseas for military training at the end of 1961 and returned in 1962.

Among those in his group who went through all the training was accused No 7 in the trial, Mr Joe Gqabi, 48.

The actual training took place in Peking, after the group had flown to China

via Botswana, Tanganyika and Moscow.

He travelled back to South Africa via Dar Es Salaam, through Northern Rhodesia by bus, and by train to Botswana.

In Peking, there were six months of lectures on China's revolutionary history, on various firearms and logistics.

Further lectures were given on the black power movement and machineguns.

The witness was cross-examined at length by Mr A. Chaskalson, SC, for the defence, on whether or not he had said in a statement to the police at one stage that he had been a leader of the ANC.

The hearing continues today. — DDC.

Cape Times 7/2/78

State witness gets 9 months for perjury

A STATE witness in an arson trial last year was yesterday found guilty in the Magistrate's Court of perjury and imprisoned for nine months.

Samuel Louw, 27, a former woodwork teacher at the Hanover Park High School, originally appeared with Mr Mogamat Hayward, 20, but their trials were separated after they pleaded not guilty. The charge was a sequel to an arson trial last year in which Louw gave evidence for the State. The trial followed the burning of the Hanover Park High School library and a classroom during unrest in September 1976.

Soon after the burnings, Louw made a statement under oath to police. The statement contradicted evidence he gave during the trial.

Yesterday the magistrate, Mr J J B van Zyl, said Louw's evidence about the fire in the library contradicted the statement he made to the police.

In his statement to the police, he said he spoke to a youth "who told me that he hid a bomb under his jacket and, when no one was watching, threw it through the window of the library".

Louw denied this when the youth went on trial. He also denied telling police that he had spoken to a youth after a second fire in the Standard 10 classroom at the school.

Louw was granted R100 bail, pending appeal. The case against Mr Hayward was postponed to March 6.

Mr Gordon Hall appeared for the State.

Inquest told of cell hanging

DURBAN — Prof I. Gordon, chief State pathologist here, said yesterday he could not say whether or not the death of detainee Mr Bayenpin Mzizi was due to suicidal hanging or homicidal hanging.

He was giving evidence at the inquest into the death in detention of Mr Mzizi, 54, on August 13 last year at the Brighton Beach police station.

Mr Mzizi was being held under Section 6 of the Terrorism Act.

Prof Gordon, questioned by Mr P. Meskin (for the Mzizi family), said there was no evidence to indicate that assault or violence had been involved in the death of Mr Mzizi.

He had examined the body carefully and come to the conclusion that death was consistent with hanging. He had no reason to believe that death was due to any other cause.

There were no bruises, abrasions or other signs of violence, he said. But Prof Gordon agreed with Mr Meskin that the absence of bruises and abrasions was not conclusive that there was no homicide involved.

"I can't say whether it was suicidal hanging or homicidal hanging."

Questioned by Mr P. Combrinck (for the police), Prof Gordon said

all the factors that a medical expert looked for in a homicidal hanging were absent in this case.

Const M. Strauss, told the inquest he was in charge of the charge office on the night of August 13. He came on duty at 8 pm and made inspections of the cells and the prisoners every hour.

He had spoken to Mr Mzizi at each visit and asked if everything was in order. Mr Mzizi had replied that he was well.

Const Strauss said he visited Mr Mzizi's cell at 11.05 pm. He found Mr Mzizi standing against the cell wall. A cord made from strips torn from a jacket was round Mr Mzizi's neck and tied to the grille over the window. It was pulled tight by the weight of Mr Mzizi's body.

He examined Mr Mzizi and could feel no pulse or breathing. Const Strauss said he left the body as he found it and called his station commander, W/O D. J. Haupt.

Cross-examined, Const Strauss said he was the only person on duty who had the keys to the cell area and to Mr Mzizi's cell. No one could have taken the cells keys without his knowledge. Mr Mzizi had no visitors that night.

The inquest continues today. — SAPA.

PAC terror trial verdict tomorrow

PIETERMARITZBURG — Judgment in the Pan-African Congress terrorism trial here will be given tomorrow.

In the trial, Mr Stanley Pule, 33, Mr Isaac Mhlekwa, 49, and Mr Nogaga Gxekwa, 47, have pleaded not guilty to various charges under the Terrorism Act.

It is alleged the accused underwent military training in Ghana, Algeria, Egypt, Tanzania and Zambia and that Mr Pule and Mr Mhlekwa gave military training to others at Kmalamfene in the Ingwavuma district.

Mr Pule was the only accused to give evidence. He explained that his excursion in various North African countries was in an attempt to obtain a scholarship. He also worked on buses at Mbeya, Tanzania, he said.

His presence in Mkalamfene was due to the fact that he had accompanied Mr Mhlekwa to the district while he sold soft goods, Mr Pule said.

However, various witnesses testified that Mr

Pule and Mr Mhlekwa had given military training at a secret training ground in the district. Air guns were used in order to preserve secrecy.

Other witnesses told of the accuseds' alleged military activities abroad. Following recent shootings of former witnesses in terrorism trials, Mr Justice Hoexter made an informal request to the news media that the names of the witnesses not be published. It was feared that they could be harmed. — DDC.

Vorster Square hell—detainee

7/2/78 11
(331)

KRUGERSDORP — A man charged under the Terrorism and Sabotage Acts alleged in the Circuit Court here, yesterday that after being beaten up he realised a man's life was of no significance to the Security Police.

Mr Samuel Malepane, 22, said that after his arrest he reached breaking point during the assaults at John Vorster Square and thought he was in hell.

He appeared in the Circuit Court with Mr John Moephudi, 21, and both pleaded not guilty to charges that they were founders of an organisation called the South African Freedom

Organisation, and allegedly took part in the terrorist activities between June and December 1976.

During the previous hearings Mr Justice le Roux heard that the Johannesburg Carlton Centre, an explosives factory, railway lines and a department store were alleged bomb targets to disrupt the country's economy.

Giving evidence yesterday Mr Malepane, who claimed he attended only one meeting by members of Saso, said his statement to the police was not made voluntarily.

The hearing continues today. — DDC.

Court told of ANC cell plot

8/2/78 (33)

Pretoria Bureau

A former executive member of the Soweto Students' Representative Council said at the ANC terror trial in Pretoria today he and others agreed to work in a "cell" under a member of the ANC.

He said Mr Naledi Tsiki, one of the twelve accused at the trial, claimed he was a member of the African National Congress and "said he wanted to train us as a cell."

The witness, who may not in terms of a court ruling be identified, told Mr Justice Myburgh and two assessors he and others of the SSRC saw Tsiki in Soweto during December 1976.

STRUGGLE

"He wanted to train us for the struggle. He made mention of ammunition," he said.

They met again in a house at the Mapitla location, Soweto.

"We were discussing our organisation (the SSRC). He then told us about the cell system."

Mr Tsiki then allegedly produced a Scorpion machine pistol, a Tokarev pistol and a hand grenade. He showed the students how to dismantle and assemble the firearms, and how the grenade was used, the witness said.

Sergeant Charles Zeelie of the Security Police said in evidence he visited a hut in the Nebo district near Middelburg at 3 am on January 3 last year.

BUMPED

He found two men lying on the hut floor, one of them was Mr Simon Mohlanyaneng, an accused at the trial. The policeman said he bumped Mr Mohlanyaneng hard — "As one rugby player would do to another."

Sergeant Zeelie said Mr Mohlanyaneng then made for where a Scorpion machine pistol, a pistol, and a hand grenade were lying.

"I kicked him head over heels (onderstebo) and he fell in a chair, breaking it."

All 12, one a woman, have pleaded not guilty to conspiring to overthrow the government and other charges. The trial

9/2/78 Noted Mercury

SP swoop on two after PAC trial

(331)

Mercury Reporter

PIETERMARITZBURG — One of the three accused in the Pan African Congress terrorism trial here was yesterday convicted of giving military instruction to others in northern Zululand while two who were acquitted were arrested soon afterwards by Security Police.

Sentence will be passed today.

Mr. Stanley Pule (33), Isaac Mhlekwa (49) and Mr. Nogaga Gxekwa (47) had pleaded not guilty to participating in various terrorist activities before Mr. Justice Hoexter and two assessors.

In his judgment which took nearly four hours — Judge Hoexter acquitted all three of undergoing military training in Ghana, Algeria, Egypt, Tanzania and Zambia between September, 1964, and April 30, 1968.

The second count related to Mr. Pule only. He was found not guilty of giving refresher courses in military training at military transit and training camps at Mbeya and Livingstone.

Related

The third count related to Mr. Pule and Mr. Mhlekwa. Only Mr. Mhlekwa was found guilty of giving military training at Mkalamsfene in the district of Ingwavuma, Zululand between July 1, 1975 and May 8, 1976.

Shortly after leaving the dock, Mr. Pule and Mr. Gxekwa were arrested by Security Police in connection with other charges but

not under Section 6 of the Terrorism Act.

Mr. Pule was the only one of the accused to give evidence in his defence. He denied ever receiving military training anywhere. After he had fled the Republic in July 1963 he attempted to obtain a scholarship but his attempts failed, said Mr. Pule.

He later stayed with relatives in Swaziland and was granted a temporary resident's permit. During his stay he met Mr. Mhlekwa who was then a hawker of soft goods. His journeys involved trips into remote parts of Swaziland.

Accompanied

Mr. Pule said he accompanied Mr. Mhlekwa on a trip and stayed at a hut of Mr. Phillip Mngomezulu's which he imagined was still on the Swaziland side of the border. He was arrested at the hut on the night of May 9, 1976.

Mr. Pule denied giving military training to anyone at Mkalamsfene.

In support of his evidence regarding his trip from Tanzania to Swaziland, Mr. Pule produced certain documents including an alien's travel document issued by the Tanzanian Government on October 31, 1975.

Mr. Justice Hoexter said he took into account that most of the witnesses for the prosecution were accomplices and had been in detention for a considerable period.

Caution

He regarded their evidence with utmost caution because the fact that they might have been more responsive to suggestions when making statements to police could not be overlooked, he said.

Sentence on Mhlekwa will be passed today.

Training was 'against police'

10/2/78
Natal Mercury
331

Mercury Reporter

PIETERMARITZBURG — Isaac Mhleka (49), the only one of three accused convicted in the Pan African Congress terrorism trial here, was yesterday sentenced to eight years' imprisonment for giving military training in northern Zululand.

Mr. Justice Hoexter found that the training, given at a secret training ground at Mkalamfene in the Ingwavuma area, was not

merely to prepare the recruits for fighting against the Ceteswayo faction.

The training was also given with a view to conflict against the White people and the police in particular, said Mr. Justice Hoexter.

It was true that the training was given in an area which had been the scene of clashes between warring factions and that one of the objects of the training was to prepare for fighting against the Ceteswayo faction, said the Judge.

But the Court was satisfied that this was neither the sole nor the main object of Mhleka's instruction.

In reaching its conclusion the Court had ignored the fact that Mhleka was a Xhosa and the training had taken place in a remote part of the country where there were no Xhosas.

In Mhleka's favour the Court found that the greater part of the military training was unsophisticated and fairly elementary.

However, the crime "which strikes at the security of the State," was a very serious one and the passing of the prescribed minimum sentence of five years would be inappropriate, said Mr. Justice Hoexter.

Had Mhleka not been in custody for 21 months, he would have been sentenced to at least 10 years, said Mr. Justice Hoexter.

Activities

In the trial Mhleka appeared with two others on various charges of participating in terrorist activities. They all pleaded not guilty to the charges which included undergoing military training in Ghana, Algeria, Egypt, Tanzania and Zambia.

Mhleka and his two co-accused, Mr. Stanley Pule (33) and Mr. Nogaga Gxekwa (47), were acquitted on this charge.

Mr. Pule was acquitted of further charges of giving refresher courses in military training at military camps at Mbeya and Livingstone and of giving military training to others at Mkalamfene.

However, both Mr. Pule and Mr. Gxekwa were arrested by Security Police on other charges shortly after leaving the court.

Do you discuss these problems with workers
other farms?

Have you ever thought of joining together
changed?

To occasional and contract workers only

Will you try to come back to this farm?

Why/Why not?

Questi

Two get bail of R400

(2)

2. Have you asked

been refused?

If yes, give

3. What problems

your work?

4. What do you do

blems?

Do you discuss

other farms?

Have you ever

changed?

th workers on this or on

ng together to get something

To occasional an

s only

Will you try to

farm?

Why/why not?

Mercury Reporter

PIETERMARITZBURG -

The two accused who were arrested soon after being acquitted in the Pan African Congress terrorism trial here on Thursday were granted bail after appearing in the Magistrate's Court yesterday.

They are Mr. Stanley Pule (33) and Mr. Nogaga Gxewa (47).

When the men appeared before Mr. E. J. van Wyk yesterday they were remanded for trial in Johannesburg and East London respectively. They were granted R400 bail each.

Mr. Pule is being held in connection with furthering the aims of the banned PAC in 1963, and jumping R50 bail.

He was instructed to report to the Security Police's office at John Vorster Square on February 13 and appear at the Regional Court on the 24th.

Mr. Gxekwa was referred to the East London Regional Court for trial on March 3. He was told to report to the Cambridge Police Station on February 15.

Both accused were this week acquitted by Mr. Justice Hoexter of taking part in various activities which included undergoing military training in various African States.

Their co-accused, Isaac Mhlekwa, was sentenced to eight years imprisonment for giving military training to others in northern Zululand.

We

Goch St shooting: Court told of chase

ARGUS 14/2/78

331

The Argus Correspondent

JOHANNESBURG. — A man charged with the Johannesburg Goch Street shooting tried to pull the pin out of a hand grenade with his teeth as he was held by a pursuer moments before the fatal shooting.

This evidence was given before Mr Justice Theron and two assessors today by Mr Manie Steenkamp at the trial of Mr Solomon Mahlangu, 21, who has pleaded not guilty to two charges of murder, two of attempted murder and various charges under the Internal Security and Terrorism Acts.

A second man, Mr Mondy Motloung, 20, was yesterday declared unfit to stand trial and was committed to the fort in Johannesburg pending a decision as to whether he is a State President's patient.

Mr Mahlangu is alleged to have murdered Mr Rupert Kassner and Mr Kenneth Wolfendale.

No intent

He is also alleged to have tried to murder Mr Peter Hartogh and Mr Robert Bagg, who were wounded at the John Orrs warehouse in Goch Street, Johannesburg, on June 13, last year.

Evidence was today given about how two black men were pursued along Jeppe Street on the morning of June 13 last year.

Mr C R Mailer, defending, said the basis of the not guilty pleas to murder and attempted murder was that Mr Mahlangu did not have the necessary intent.

Mr Mailer said Mr Mahlangu was recruited in South Africa by members of the banned African National Congress while he was still a schoolboy.

This happened around June 1976.

During his training he was instructed that he would be involved in acts of sabotage and that he would place explosives on

railway lines after first warning the authorities of this.

Mr Mahlangu would also sabotage goods trains as part of his training.

It was emphasised that the preservation of life was of the utmost importance and that this principle was to be maintained.

Mr Mailer said Mr Mahlangu was told during his training that he would carry out these activities on some future date.

Mr Mailer said that in relation to the Terrorism Act, part of the charges related to conspiracy.

In pleading not guilty to the terrorism charges Mr Mahlangu is consistent with the attitude that he has made to the court, he said.

Mr Manie Steenkamp, the first witness today, said on the morning of June 13 last year he and a friend were walking along Jeppe Street towards the old market. They were approaching an underground parking area.

Grenade

Mr Steenkamp said he heard someone shout 'catch them.'

He saw two black men running towards them. One had a large paper bag.

He did not know why the men were being chased.

His friend, Mr Loggenberg, grabbed one of the black men round the neck.

The man tried to pull out a hand grenade and detonate it by attempting to pull out its pin.

Mr Steenkamp said the second man had a sub-machine gun.

'I screamed and my friend let go the other man, then we ran away,' he said.

(Proceeding)

15. Aantal afhank
wie werker

anders vir

- (a) Name (eerste na
alleenlik)
- (b) Verwantskap aan
- (c) Ouderdom
- (d) Geslag
- (e) Woonplek
- (f) Skooljare voltooi
- (g) Nou op skool?
- (h) Skool (naam, sodis-
trik en af-
van plaas)
- (i) Werk wat vir boe-
gedoen word (y-
gedurende skool-
vakansies)
- (j) Jaarlikse tydpe-
gewerk (dae o-)
- (k) Jaarlikse betala-
kontant

ander

Held for having weapons in house — witness

ARGUS

15/2/78

331

The Argus Correspondent

JOHANNESBURG. — A woman who unwittingly allowed weapons and explosives to be kept at her home was held in detention for six months, a Supreme Court judge was told today.

Mrs Rosalina Hlatshwayo was testifying in Kempton Park today at the Goch Street shooting trial at which Mr Solomon Mahlangu, 21, is appearing.

A second man, Mr Mondy Motloun, 20, who has residual brain damage, has been declared unfit to stand trial.

Mr Mahlangu has pleaded not guilty before Mr Justice Theron and two assessors to two charges of murder, two of attempted murder and other charges under the Internal Security and Terrorism acts.

The State alleges he murdered Mr Rupert Kasner and Mr Kenneth Wolfendale.

GROCERIES

Mrs Hlatshwayo said on the night of June 12 last year, Mr Motloun, Mr Solomon Mahlangu and his brother, Lucky, came to her house at Duduza. Lucky

asked her whether he could leave groceries at her house because his parents were away. She agreed.

The witness said the three were carrying either paper bags or suitcases. She saw a large blue paper carrier, a striped suitcase and a large blue bag.

POLICE ARRIVED

Mr Lucky Mahlangu took out several groceries and put them on the floor. These included washing powder, a tin of cocoa, powdered milk, boxes of tissues, a battery and a tube of toothpaste.

Asked whether she knew what the contents of the bags and paper packets were, she said she did not. Nobody opened the suitcase in her presence. Later police came to her house and removed the groceries and cases.

Mrs Hlatshwayo said she and her husband were detained under Section 6 of the Internal Security Act from June 13 last year and were kept in isolation for five weeks.

Lieutenant Johannes de Waal of the Security Police, Johannesburg, said Mr Mahlangu told him he had gone to Mozambique and Angola where he received training.

RETURNED TO SA

He returned to South Africa, crossing the Swaziland border a few days before June 13 last year.

The witness said a coded map was found on Mr Motloun. Mr Mahlangu gave an explanation about the coded map to the policeman. Written on the map were the coded letters F S L B and the words withdrawal, sentenced . . . days ago, lawyer to appeal, Greylingstad and Balfour.

plaasmesjinerie

(i) Ontspanningsgeriewe verskef:

Koste aan boer (jaarliks):

(j) Gesondheidsdienste:

Jaarlikse koste aan boer van: doktersrekeninge betaal
medisyne

vervoer na en van geriewe
ander

(j) Totale mediese koste

(k) Pensioenbydrae deur boer (jaarliks)

(l) Versekeringsbydrae deur boer (jaarliks)

p Cape Times 15/2/78
331

15. Aantal af
wie wer

(a) Name (eers
alleenlik

(b) Verwantskap

(c) Ouderdom

(d) Geslag

(e) Woonplek

(f) Skooljare vo

(g) Nou op skool

(h) Skool (naam,
distrik en
van plaas)

(i) Werk wat vir
gedoen wor
gedurende
vakansies)

(j) Jaarlikse tyd
gewerk (dae

(k) Jaarlikse bet.
kontant

ander

Man tried to pull grenade pin while held—witness

s anders vir

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5

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KEMPTON PARK. — A man charged in Johannesburg's Goch Street shooting incident last June tried to pull the pin of a hand-grenade with his teeth as he was held by a pursuer moments before the fatal shooting, the Supreme Court here heard yesterday.

This evidence was given before Mr Justice C D J Theron and two assessors by Mr Manie Steenkamp at the trial of Solomon Mahlangu, 21, who has pleaded not guilty to two charges of murder, two of attempted murder, and various charges under the Internal Security and Terrorism Acts.

A second man, Mondy Motloutse, 20, was on Monday declared unfit to stand trial and was committed to the Fort in Johannesburg pending a decision as to whether he is a State President's patient.

Mr Mahlangu is alleged to have murdered Mr Rupert Kassner and Mr Kenneth Wolfendale. He is also alleged to have tried to murder Mr Peter Hartogh and Mr Robert Bagg, who were wounded at the John Orr warehouse in Goch Street on June 13 last year.

Evidence was given yesterday about how two men were pursued along Jeppe Street on the morning of June 13.

Mr C R Mailer, defending, said the basis of the not guilty pleas to murder and attempted murder was that Mr Mahlangu did not have the necessary intent.

Mr Mailer said Mr Mahlangu was recruited in South Africa by the unlawful African National Congress while a school-boy. This happened about June, 1976.

In Luanda

Mr Mahlangu went to Mozambique and other countries in Africa. He also visited Luanda.

"In Luanda in particular, Mr Mahlangu was subjected to a process of training by the ANC. The purpose of the training was that he would be sent back into South Africa with the purpose of undermining activities such as assisting in economic strikes."

Mr Mahlangu had been told during his training that he would carry out these activities on some future date. He would be involved in sabotage including placing explosives on railway lines after warning the authorities of this. He would also sabotage goods trains.

It had been emphasized that preservation of life was of the utmost importance and this principle was to be maintained.

Mr Mailer said part of the charges related to conspiracy in relation to the Terrorism Act.

"In pleading not guilty to the terrorism charges Mr Mahlangu is consistent with the attitude that he has made to the court," he said.

"Catch them" cry

Mr Steenkamp, the first witness yesterday, said that on the morning of June 13 he and a friend were walking along Jeppe Street towards the old market. As they approached an underground parking area Mr Steenkamp heard someone shout "catch them". He saw two men running towards them. One had a large paper bag. He did not know why they were being chased.

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Cape Times

15/2/78

His friend, Mr Loggenberg, grabbed one man around the neck. The man pulled out a hand-grenade and tried to pull out the pin.

The second man had a sub-machinegun. "I screamed and my friend let go the other man, then we ran away."

Mrs G Preston, an employee of Herbs Motors, on the corner of Goch and Jeppe Streets, said she was standing outside the garage when two men ran under the motorway.

One man fired shots into the ground. The men were peering around the motorway pillars.

"I thought they were playing hide-and-seek. I believed the man was carrying a cap gun," she said.

Later she heard an explosion and was told that men had been killed.

At the garage an employee picked up a shell and gave it to the police. — Sapa

(Proceeding)

Witness: Chinese influence PAC

DD 15/2/78
(33)

BETHAL — Judgment was reserved here yesterday on a State application for all black witnesses in the Pan Africanist Congress trial to be heard in camera.

The State applied on Monday for only the press to be present, but for newspapers to be forbidden to identify witnesses.

Mr Justice Curlewis said he would give his decision later.

Eighteen men are appearing as alleged members or supporters of the banned PAC on two main charges under the Terrorism Act.

Mr A. M. Wilson, SC, for the defence, said the State would have to do more than say that witnesses and their families had been harmed in other cases. The State had to show there was a likelihood of harm occurring to a witness or witnesses in this trial.

Mr Wilson said it was

"fanciful in the extreme" to suggest that a hearing in camera would prevent the names of witnesses becoming known.

The prosecutor, Mr P. G. Haasbroek, SC, Deputy Attorney-General for the Transvaal, said witnesses were aware of what had happened to witnesses and their families in other cases. Apart from shootings and bombings, there had been cases of witnesses being intimidated in court by signs being made by people in the public gallery.

One of the publications before the court referred to "various forms of struggle such as getting rid of collaborators and traitors," Mr Haasbroek said.

Holding a hearing in camera was largely effective in offering witnesses protection.

The court also heard argument whether the evidence of a proposed expert State witness, a

political scientist, on the interpretation of documents before the court, was admissible.

Mr Justice Curlewis ruled provisionally that the expert State witness could give evidence.

Mr C. J. van der Merwe, senior lecturer in political science at the Rand Afrikaans University, said his subject included a study of the banned organisations. He had given evidence for the State on a number of occasions.

He had made a study of the documents, books and publications handed into the court as evidence in this case and said the PAC had progressed after 1960 from a radical to a revolutionary organisation. There was a strong suggestion the Chinese brand of communism was accepted as the official ideology of the PAC.

The hearing continues today. — SAPA.

Thursday, February 16, 1978

Trial told of secret codes

Cape Times 16/2/78

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(b) JOHANNESBURG. — A woman whose house was used to store ammunition, explosives and pamphlets of the African National Congress, smuggled into the country by men allegedly responsible for the shooting in Goch Street last June, was detained by the police for more than six months, the Kempton Park Circuit Court heard yesterday.

(c) Mrs Rosalina Hlatshwayo of Duduza near Nigel was giving evidence in the trial of Solomon Mahlangu, 21, of Mamelodi, Pretoria who is appearing before Mr Justice Theron and two assessors on nine charges arising from the shooting in which two men died at the John Orr's workshops in Goch Street, Johannesburg on June 13.

(d) He has pleaded not guilty. A second man, Mondy Motloung, 20, of Duduza was found unfit to stand trial on Wednesday because of brain injuries probably caused by blows on the head with a submachine gun during a struggle at the scene of the shooting.

(e) Mrs Hlatshwayo said yesterday that on June 12 about 8.30pm Mr Mahlangu, Mr Motloung and Mr Lucky Mahlanga, whose parents lived

next door, came to her house.

Lucky, who she had not seen since January, said his parents were out and asked if he could leave some groceries and cases of clothing at her house.

She agreed and the men left saying they had to go to Germiston. She did not know what was in the cases, she said.

The following evening she was arrested at her house by the security police and taken to John Vorster Square where she was held in solitary confinement for five weeks.

She was interrogated by the security police during that time and was asked where Lucky was. At first the police did not believe that she did not know where he was, she said.

A security policeman, Lieutenant Johannes de Waal testified that after his arrest Mr Mahlangu told the police of the house in Duduza.

He was taken there after the shooting and certain items were confiscated, including a suitcase and a travel bag with false bottoms in which ammunition and ANC pamphlets were hidden.

Hand grenades were hidden in soap powder boxes. In a tube of toothpaste Lieutenant De Waal found a map and instructions for

Mr Mahlangu's "withdrawal" in case he landed in difficulties in South Africa.

The instructions involved contacting a woman in Swaziland who would then organize a meeting with a courier in South Africa.

A secret code would be used to let the Swazi woman know that a meeting was needed and other codes and actions were to be used at the meeting with the courier.

Places mentioned in the instructions for meeting couriers were Balfour, Greylingstad, Middelburg and Boksburg.

A similar map and instructions were found on Motloung when he was arrested.

An explosives expert in the security police, Sergeant Andries van Sita, said he helped search the house in Duduza.

Nine hand grenades of communist origin were hidden in a 2 kg box of soap powder.

Quantities of plastic explosive connected to detonating devices were found in tins of cocoa and milk powder.

The composition of the detonating devices included wires, a nine-volt battery, a clothes peg, a copper electric detonator and a Russian made wristwatch.

The trial continues today.

aasmacjinerie

(g) Bonus (jaarliks)

(h) Geskenke (jaarliks: artikels

Koste aan boer:

(i) Ontspanningsgeriewe verskaf:

Koste aan boer (jaarliks):

(j) Gesondheidsdienste:

Jaarlikse koste aan boer van: doktersrekeninge betaal

medisyne

vervoer na en van geriewe

ander

(j) Totale mediese koste

(k) Pensioenbydrae deur boer (jaarliks)

(l) Versekeringsbydrae deur boer (jaarliks)

Soweto students on arms charge

MBABANE — An application by three former Soweto students facing charges here for an order that they be released from custody and be treated as refugees has been rejected by a magistrate here.

Appearing before Mr P. Shilubane were Winfred Madela, Thamsanga

16/2/78 AS
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Makhubu and Thuthuka Hlubi.

They were seized by Swaziland Security Police in a pre-dawn raid about 5 km from the South African border post of Oshoek on January 13.

It is alleged they were found with a hand-grenade and a machine-pistol. They were also charged with illegal possession of two revolver magazines and 27 live rounds of ammunition.

Police also alleged they were found with 130 g of dagga in their possession.

During their brief appearance, the accused also asked the court to order that prison authorities make arrangements for them to instruct an attorney. They said they had not been given a chance to get legal advice.

They were remanded in custody. The hearing continues on February 20. — SAPA.

**PAC hearing
is adjourned**

BETHAL — The Pan Africanist Congress trial here was adjourned yesterday to February 23 to allow the defence to consult experts on the evidence given for the State by an expert witness.

The witness, Mr C. J. van der Merwe, a senior lecturer in political science at the Rand Afrikaans University, had given evidence with reference to certain passages in documents, books and pamphlets handed in to the court. —
SAPA

PAC trial held behind closed doors

16/2/78 MA
(331)

EAST LONDON — An Mdantsane man, Mr Gladwell Mbali, 43, tried to revive the banned Pan Africanist Congress in Port Elizabeth by urging former members to form secret "cells", the regional court heard here yesterday.

Mr Mbali pleaded not guilty before Mr J. Jordaan to a charge of unlawfully becoming or continuing to be a member of the PAC and taking part in its activities.

The hearing took place behind locked doors after the court granted an application by the prosecutor, Mr J. Bruwer,

to protect former PAC members turned State witness.

Mr Bruwer said the security police had asked that the witnesses' identities be kept secret from the public to avoid reprisals.

The investigating officer, Lt F. Venter, could tell the court of assaults and bombings directed at witnesses in previous trials of a similar kind, he said.

Mr M. Pillemer, for Mr Mbali, opposed the application on grounds that justice should be seen to be done and Mr Mbali's family at least should see him have a fair trial.

Holding the trial behind closed doors might create the impression that it was not a fair one, particularly because it was a "political" trial, Mr Pillemer said.

Mr Jordaan said he could not see how holding the case in camera could

affect Mr Mbali. He ordered the court to be cleared but allowed the press to stay on condition the witnesses names were not published.

Four or five men remained in the gallery.

Asked who they were, one replied: "Security police."

Mr Pillemer asked if there was any reason why they should stay. Mr Jordaan again ordered the court to be cleared and they left.

Witnesses told the court that between June 1974 and June 1977 Mr Mbali paid visits to them in Port Elizabeth, saying the PAC wanted to convert people to join the organisation and not involve themselves in homeland politics, men were wanted for training abroad so they could "come back and free us", and cells each consisting of three people should be formed to work in secret.

One witness said Mr Mbali had given him a book about Karl Marx and African socialism.

Under cross-examination by Mr Pillemer, witnesses denied Mr Mbali had gone to Port Elizabeth merely to renew old acquaintances.

They denied much of their evidence was fabricated to please the security police.

The case continues. —
DDR

Witnesses in PAC trial jailed

(331) 17/2/78 M

EAST LONDON — The PAC trial took a dramatic turn when two witnesses refused to give evidence against Mr Gladwell Mehlo Mbali, 43, of Mdantsane, in the regional court here yesterday.

Mr Mbali has pleaded not guilty to becoming or continuing to be a member of the banned Pan Africanist Congress and taking part in its activities.

The court, sitting behind locked doors, has ordered the names of witnesses to be kept secret to avoid reprisals, but the magistrate, Mr J. Jordaan, allowed the press to name Mr Elias Mzamo and Mr Henry Fumani Siwisa after he sentenced them each to 12 months' imprisonment for refusing to give evidence.

Mr Mzamo said: "There is nothing I'm going to say. Even the statement I made (to the security police) — I made it under persecution, in fright, and it is all lies."

Mr Siwisa said: "All I did was go with the accused to pay his lobola. Why should I give evidence when he is not a divorcee?"

Mr Mbali told the court he had ceased to be a member of the PAC when it had been banned.

He denied trying to revive the organisation in Port Elizabeth between June 1974 and June 1977.

He admitted having copied an article on African socialism into a text book and said he had taken the book to read on a visit to friends in Port Elizabeth because he had been interested in history and economic development.

Asked whether African socialism was part of PAC policy, Mr Mbali said he did not remember because he had had nothing to do with the PAC for a long time.

Mr Jordaan is expected to give judgment today. — DDR.

313 were held as witnesses

CAPE TOWN — The Minister of Justice, Mr Kruger, said yesterday a total of 313 potential witnesses in security trials had been detained last year.

Replying to a question, he said 90 blacks were still detained in the Transvaal and five in Natal as potential witnesses.

In terms of the Internal Security Act, witnesses can be detained under warrant from an attorney-general when there is any danger of them being tampered with or intimidated.

In reply to the question tabled by Mrs Helen Suzman (PFP, Houghton), Mr Kruger said 31 people had been detained under this provision in the Cape, 224 in the Transvaal, four in the Free State and 54 in Natal.

All the people detained were black except one Coloured in the Cape and one white in the Transvaal. The white was detained for about 100 days from August 26 to November 30 last year.

The Minister gave details of the length of time each of the witnesses had been detained.

Of those still detained on February 2, two people were first detained on August 10, ten on September 15, eight on October 26, five on November 11, four on November 7, two on December 7, and 59 on December 8 in the Transvaal, while one was detained in Natal on October 28 and four on November 23. — PC

Reporter charged under Terror Act

A SUNDAY Times journalist, Mr Enoch Duma, 36, and a teacher, Mr Aitken Ramudzuli, 24, will appear in the Johannesburg Regional Court on Friday to answer charges under the Terrorism Act, and alternative charges of sabotage.

At a brief hearing this week the court was told that the two men were not yet in a position to tender pleas. They were remanded in custody.

Both smiled and waved at friends and family as they were led from the dock. Mr Duma, of Dobsonville, was detained last September.

In the indictment the State alleges that he and Mr Ramudzuli associated themselves with the activities of the banned African National

Congress, whose aims they were allegedly furthering.

They are alleged to have worked with five co-conspirators.

- Mr Duma is accused of using his car for the activities of the ANC and for other acts of terrorism.

- They are alleged to have gone to Botswana to post a letter to New York requesting that a sum of R1 000 be sent to South Africa, together with Pan-Africanist Congress pamphlets.

- With other conspirators they are alleged to have planted explosives which damaged a railway line between Princess and Horison stations, Roodeport.

- Mr Ramudzuli is alleged to have gone to Botswana to fetch weapons and explosives.

All the alleged acts were said to have been committed between April and September 26 last year.

In addition the State accuses Mr Ramudzuli of bringing terrorists into the Republic, and it alleges that both men planted explosives in the main post office in Pretoria.

Former SA man 'had training in Russia'

Star 20/9/78
(33)

East Rand Bureau

A former South African petrol attendant told the Goch Street shooting trial today that he had received a year's political and military training in Moscow.

The former member of the African National Congress, who may not be identified in terms of a court order, was giving evidence in the Kempton Park Circuit Court at the trial of Mr Solomon Mahlangu (21), who has pleaded not guilty to murder, attempted murder and charges under the Internal Security and Terrorism acts.

The State alleged he murdered Mr Rupert Kassner and Mr Kenneth Wolfendale and had tried to murder Mr Peter Hartogh and Mr Robert Bagge at John Orr's warehouse in Goch Street, Johannesburg, on June 13.

The man said he had been indoctrinated in Mozambique and Tanzania before being sent to Russia where he received training in politics, communications and sabotage.

He and others were

caught on September 25 while trying to cross the border back into South Africa. They had explosives, communist-made machine pistols and hand grenades.

The young man said he was arrested in Mozambique and forced to join the ANC. He visited five Frelimo camps in Mozambique and received training, he said.

In cross examination the man said he was arrested in Mozambique after being suspected of being a South African soldier. He said he was assaulted by ordinary people and soldiers.

He was exposed to intensive indoctrination and brainwashing and then received further training in Tanzania. From there he went to Moscow, Leningrad and other places in Russia.

(Proceeding)

Pipeline open

NAIROBI—A 482 km oil pipeline from Mombasa, Kenya's Indian Ocean seaport, came into operation at Nairobi last week. —Sapa-Reuter.

Oppenheimer was ANC target,

KEMPTON PARK. — Senior members of the National Party, Mr Harry Oppenheimer, chairman of Anglo American, and Jews were among the targets of Russian-trained ANC saboteurs, the circuit court here was told yesterday by a former member of the ANC. He said he had undergone a year's military training in Russia.

He was giving evidence in the trial of Mr Solomon Mahlangu, 21, of Mamelodi, Pretoria, who is appearing before Mr Justice C D J Theron and two assessors on nine charges arising from the shooting in which two men died at the John Orr's garage in Goch Street, Johannesburg on June 13, last year. He has pleaded not guilty.

A second man, Mr Mondy Motloutse, 20, of Duduza, Nigel was last week found unfit to stand trial.

Mr Justice Theron ordered that the name of the witness be withheld after the State prosecutor, Mr E C Heller, said the man's life could be in danger if his identity was disclosed.

The man said he had a standard four education. He worked as a petrol pump attendant in South Africa for seven years before going to Mozambique in 1975 to become a dockworker.

He was arrested by Frelimo soldiers on suspicion of being a South African spy and detained in Mashaba Prison, till he

agreed to join Umkhonto We Sizwe, the military wing of the ANC.

He went to Tanzania where he was made a political commissar. From there he flew to Russia where he and 13 other South African blacks received a year's military and political training from Russian instructors.

In Tanzania and again in Russia he met senior ANC officials including Joe Slovo, Joe Modisi, Dada and Peliso, he said.

He returned to Angola last June and, with another man, was captured towards the end of 1977 when trying to cross into South Africa illegally.

He had never wanted to join the ANC, but was forced to, he said.

He was trained so that he could return to South Africa and "remove the political system" by destroying strategic installations, lines of communication, oil pipelines, supermarkets, clubs and other public places.

It would not matter if policemen or soldiers were killed, but blacks should not be injured because it could turn them against the ANC.

White members of the public would be shot only if they

openly confronted him and tried to prevent him carrying out his mission, he said.

Bombs in supermarkets and other public places would be set to go off at night when only watchmen would be injured.

Railway lines and trains, including those transporting petroleum products, livestock and senior members of the National Party, were prime targets.

People in the "bourgeois" class, including Mr Harry Oppenheimer, Jews and the type of people who owned the Carlton Centre had to be removed as well, he said. He had been taught this by the Russian instructors.

Under cross-examination by Mr C R Mailer, for the defence, the witness said senior ANC officials were not racists. They were not against those white South Africans who supported a system where there was no oppression of one group by another.

He had not appeared in court and had not been offered indemnity from prosecution if he gave evidence against Mr Mahlangu, the man said.

Earlier, a former president of the Students Representative Council at the University of the Witwatersrand, Mr Richard de Villiers, said he had seen a large swelling on the side of Mr

court told

Mahlangu's head in the cells at John Vorster Square on June 14.

Mr De Villiers was called by Mr Mailer to support his contention that a statement made by Mr Mahlangu to a magistrate on June 13 was inadmissible.

Mr De Villiers said he was detained on June 11. Early on June 14 he was awoken and told he had to move to another cell.

Mr Mahlangu was brought into the cell by policemen. He had a large swelling on the left side of his head which looked as if it could have been caused by a blow.

Mr De Villiers said he was released the following Saturday without any charges being laid against him. He did not know why he had been detained.

Last week Mr Mahlangu said in evidence that he was assaulted and threatened with death by the security police unless he made a false statement to the magistrate.

The police concerned rejected the allegations and said Mr Mahlangu had co-operated with them voluntarily.

Mr Justice Theron ruled that Mr Mahlangu had made the statement voluntarily and that it was admissible. His reasons for the decision would be given later, he said.

The hearing continues today. — Sapa

Court hears of PAC revival

22/2/78
331/15

EAST LONDON — A witness in the trial in which Mr Joseph Mayedwa, 55, is accused of involvement with the banned Pan Africanist Congress told the Regional Court here yesterday Mr Mayedwa had passed on information to him about a possible revival of the organisation. He was not giving instructions.

The witness, who cannot be named following a state application that the press should not publish the names of witnesses, also disclosed that the second accused in the trial, Mr McWilliam Siyeta Simon, 44, had at no stage been involved in the discussions, but had merely listened after bringing Mr Mayedwa to his house.

The two Mdantsane men are accused of unlawfully becoming or continuing to be office bearers, officers or members of an unlawful banned organisation — the PAC — and of taking part in the activities of the PAC or carrying on in the direct or indirect interest of the organisation activities in which it was or could have been engaged.

The witness said under cross examination the name of the organisation had at no time during the discussion between him and Mr Mayedwa been mentioned. He had assumed the organisation referred to was the PAC as this was the organisation to which all three of them had belonged before its banning.

He admitted there had been no instructions about forming cells and

no-one had approached him to form a cell for the organisation. He had never formed any cells.

The witness also agreed it would have been illogical for three people in whom the security police were bound to have an interest to meet at his house if they wished to revive the PAC. It would have been more logical in this case to send someone less well known than Mr Mayedwa and Mr Simon to see him.

Mr Mayedwa had been visiting his sick brother in Port Elizabeth and had made a social call as they had not seen each other for many years. "It was just friends coming in and passing on information they had heard about the PAC being re-started and organised into cells now that a former youth leader of the PAC, Gladwell Mballi, was out of jail," he said.

He was visited by Mr Mballi about a year later and was told roughly the same as he had been told by Mr Mayedwa. On this occasion he was also not asked to form a cell or given any instructions and he presumed the revival of the PAC spoken of would take place "sometime in the future."

He said while in the custody of the Security Police he had been unwilling to talk until they had told him everything about what had happened. "Once I saw they knew the truth about the visit I told them everything," he said. He had been worried about his family but in

spite of having read about deaths in detention he did not fear for his life.

He denied he had at any time been offered an indemnity if he should testify satisfactorily at a previous trial.

"I was given no warning. I was just told to tell the truth," he said.

When the investigating officer on the case, Lt F. J. M. Venter, was called to the witness stand the public was once more allowed to enter the court.

Lt Venter told the court the PAC does still exist and operates in South Africa as well as through an external wing based in Dar-es-Salaam.

He handed in two pamphlets on the PAC, one the official mouthpiece of the organisation, the Azania News, dated January to March 1978, and the other Policy and Programme of the PAC of Azania.

These were accepted as evidence despite an objection by the defending counsel, Adv Pillemer, who said they were published by an organisation called the Pan Africanist Congress of Azania and not just the Pan Africanist Congress, as appeared on the charge sheet. The objection was not sustained.

Lt Venter said he knew of the continued existence of the PAC through his training as a policeman, a security course and his practical experiences working on cases involving the organisation.

The case continues today. — DDR.

Goch Street man tells how he was recruited

KEMPTON PARK — After escaping from the scene of last June's Goch Street shooting, one of the men allegedly responsible returned to surrender to the police after realising his comrade had been captured, the circuit court heard here yesterday.

Mr Solomon Mahlangu, 21, was giving evidence in his defence. He faces nine charges including murder arising from the Goch Street shooting on June 13.

Mr Mahlangu has pleaded not guilty and the man originally charged with him, Mr Mondy Motloun, 20, was found unfit to stand trial.

Mr Mahlangu said yesterday he was recruited by the ANC after the riots in June 1976. He was then a Std 8 pupil at Mamelodi High School.

The recruiting agent said he would be trained as an ANC diplomat. No mention was made of military training.

He was taken to Mozambique on October 1 and

stayed there for several months. He was subjected to intensive interrogation and political indoctrination. He was trained for a month in the use of firearms and explosives at a camp near Luanda, Angola.

In June he, Mr Motloun and Mr Lucky Mahlangu went to Swaziland via Mozambique and on June 11 they crossed into South Africa illegally.

On June 12, Mr Mahlangu left his cases at a friend's house. That night they stayed with friends of Mr Motloun's in Springs.

The following day they went to Natalspruit, Germiston, where Mr Motloun found board and lodging. Then they went by bus to Johannesburg and planned to take a taxi to Soweto where Mr Mahlangu hoped to find a place to stay.

They were boarding a taxi at a rank near Jeppe Street when a plainclothes policeman stopped them and searched a paper

carrier bag they had.

He found a hand grenade under some clothes and then ran away shouting for reinforcements.

Mr Mahlangu also ran away and escaped.

Mr Motloun, meanwhile, grabbed a hand grenade from the bag which contained the firearms, cartridges and other grenades, and ran down Jeppe Street.

Mr Mahlangu picked up the bag and followed him. A man on the pavement grabbed Mr Motloun. Mr Mahlangu took out his pistol.

When the man's companion saw the weapon, he shouted to his friend to leave Mr Motloun and run.

Mr Mahlangu then carried on running down Jeppe Street. Mr Motloun took the bag from him.

In Goch Street he heard shots and was wounded in the ankle.

He ran into John Orr's garage looking for a place to hide. In the back yard he climbed over a wall into the premises of a bottling company and hid among some crates.

While he was climbing, he heard shots and an explosion. Later while he was still hidden he heard Mr Motloun screaming and realised he had been captured.

The trial continues today. — DDC.

Cape Times 22/2/78

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Goch fugitive tells of surrender plan

Own Correspondent

JOHANNESBURG. — After escaping from the scene of last June's Goch Street shooting, one of the men allegedly responsible returned to surrender after realizing that his comrade had been captured, the Circuit Court in Kempton Park heard yesterday.

Solomon Mahlangu, 21, of Mamelodi, Pretoria, was giving evidence in his defence before Mr Justice Theron and two assessors.

He faces nine charges, including murder, arising from the shooting in which two men died at the John Orr's garage in Goch Street, on June 13. He has pleaded not guilty.

A man originally charged with him, Mondy Motloung, 20, of Duduza, Nigel, was found unfit to stand trial.

Mr Mahlangu testified yesterday that he was recruited by an ANC agent in Mamelodi soon after the riots in June 1976. He was in Std 8 and had no interest in politics.

The recruiting agent said he would be trained as an ANC diplomat. No mention was made of military training.

He was taken to Mozambique on October 1. For several months he was subjected to interrogation and political indoctrination.

He was trained for a month in the use of firearms and explosives at a camp near Luanda, Angola.

He was homesick and had epilepsy. He wanted to escape but the camp was heavily guarded by MPLA troops.

In June he, Mr Motloung and Mr Lucky Mahlanga went to Swaziland via Mozambique and

on June 11 they crossed into South Africa.

They had Scorpion automatic pistols and hand-grenades. Lucky Mahlanga had a suitcase and a travel bag containing explosives, cartridges and ANC pamphlets.

His and Mr Motloung's cases of explosives would be sent to them when they found places to store them in South Africa, Mr Mahlangu said.

On June 12 they stayed with friends of Mr Motloung in Springs. The next day they went by bus to Johannesburg to take a taxi to Soweto where Lucky Mahlanga hoped to find a place to stay.

They were boarding a taxi near Jeppe Street when a plainclothes policeman stopped them and began searching a paper carrier bag they had. He found a hand grenade under some clothes and then ran away shouting for reinforcements.

Lucky Mahlanga escaped. Mr Motloung grabbed a grenade from the bag which contained firearms, cartridges and other grenades, and they ran down Jeppe Street. Mr Motloung took the bag from him.

In Goch Street he heard shots and was wounded in the ankle.

Place to hide

He ran into John Orr's garage looking for a place to hide. He climbed over the wall into a battling premises and hid among crates.

He heard shots and an explosion. Later, while he was still hidden, he heard Mr Motloung scream and realized he had been captured.

He decided to go back to John Orr's and give himself up to the police. He climbed back over the wall.

He saw Mr Mahlangu with some policemen. His head was covered in blood.

He became afraid to surrender because he thought the policemen had assaulted Mr Motloung and would do the same to him.

He hid behind a car and was later arrested by a civilian and a policeman.

The trial continues tomorrow.

The Argus Correspondent

JOHANNESBURG —

People who deserted the African National Congress were 'defectors' and did not live long, a man charged with the Guch Street shootings said yesterday.

Mr. Solomon Mahlangu, 21, has pleaded not guilty before Mr. Justice Theon and two assessors to murder, attempted murder and charges under the In-

Defectors do not live long

ternal Security and Terrorism Acts.

It is alleged he murdered Mr. Rupert Kassner and Mr. Kenneth Wolten-dale and tried to murder Mr. Peter Hartogh and Mr. Robert Bagg at John Orr's warehouse, Goch Street, Johannesburg, on June 13 last year.

A second man, Mr. Mandy Mottlung, has brain damage and is unfit to stand trial.

In evidence Mr. Mahlangu said he would not have gone to Angola if he had known he was to receive sabotage training from the ANC.

At a bush camp near Luanda M.P.L.A. soldiers stood guard and it would have been impossible for him to escape.

He received sabotage training and was told how to use a machine-gun, how to place explosives on a rail line and how to use timing devices.

'We were told there should be no people where the bombs were placed,' he said. 'There should be no train derailments.'

As an extra precaution others entered Swaziland

police should be telephoned and told where a bomb was placed.

Mr. Mahlangu said that at the camp he did not sleep well, suffered from epileptic fits and cried and walked in his sleep.

'I did not feel well and longed to go home,' he added.

He said he and two others entered Swaziland

with explosives, arms, ammunition and pamphlets, carried in a suitcase and a bag. From there they illegally entered South Africa and left explosives and ammunition at a Nigel house.

At Johannesburg a man they believed was a policeman found a hand-grenade in a bag they had in a taxi. In a street chase

Mr. Mahlangu was shot in the left ankle. He returned the fire, firing three shots into the ground.

While hiding on the premises at 29 Goch Street he heard an explosion and saw blood on Mr. Mottlung's head.

Both men were arrested.

In cross-examination he denied leaving South Africa for military training. If he had deserted his two ANC friends in the country he would not have lived long, he said.

The trial continues tomorrow.

State asks court to refuse bail

EAST LONDON — The case in which two Mdantsane men are charged with involvement with the banned Pan Africanist Congress has been postponed to March 20.

The postponement came in the Regional Court here yesterday when a key state witness was not available to give evidence.

An application for bail on behalf of the two accused, Mr. Joseph Mayedwa, 55, and Mr. McWilliam Siyeta Simon, 44, was held over until February 28 pending the decision of the Attorney General on an application by the State for bail to be refused.

Mr. Mayedwa and Mr. Simon were remanded in custody until this date.

The state alleged at the opening of yesterday's session that an essential witness to their case from Port Elizabeth was ill, but this was opposed on behalf of the accused by Adv. M. Pillemer on the grounds there was no evidence to show the witness was ill.

The State's application for a postponement was upheld by Mr. S. van Zyl on the grounds the witness was essential to the case.

— DDR.

Terror trial told of PAC activity

BETHAL — There was scant information available about the activities of the banned Pan Africanist Congress in South Africa, a State witness said when cross-examined in the circuit court here yesterday.

Questioned by Mr A. S. Pitman, for the defence, Mr C. J. van der Merwe, senior lecturer in political science at the Rand Afrikaans University, said he knew of no documents definitely emanating from the PAC in South Africa in the past decade.

He had, however, seen what were apparently PAC documents.

Mr van der Merwe gave evidence earlier about documents before the court in the trial of 18 men alleged to have been members or active supporters of the PAC.

The State alleges the men, who are appearing on two main charges under the Terrorism Act, promoted the aims of the banned PAC, including the violent overthrow of the Government.

Pleas of not guilty have been entered on behalf of all the accused.

Mr Van der Merwe said he did not have conclusive proof of PAC activity in South Africa in the past decade. His knowledge

came from mainly outside the country and he was aware of activity in Dar-es-Salaam, and elsewhere, directed at South Africa.

There was nothing in the PAC constitution advocating violence, Mr Van der Merwe told Mr Pitman, but the PAC manifesto had a passage which did not rule out violence.

The word "revolution" did not necessarily imply the use of violence, Mr Van der Merwe said.

Re-examined by Mr P. G. Haasbroek SC, for the State, Mr Van der Merwe said there had been changes in PAC policy. While the constitution did not refer to violence all policy documents after 1960 referred to "armed revolution."

It was stated in one of the documents before the court that the PAC had abandoned all pretence to non-violence after it had been banned.

Asked about the connection between the PAC inside and outside the country, Mr Van der Merwe said the relationship was indicated by references to what the task of the people in South Africa was.

The hearing was adjourned to Monday. — SAPA.

Goch Street man tells of bribe bid

KEMPTON PARK — The accused in the Goch Street murder trial said yesterday if the policeman who had found him with a hand grenade had questioned him about it, he would have surrendered.

But the policeman ran away screaming and he and his friend escaped and he entered the John Orr's garage as it looked a safe place to hide, Mr Solomon Mahlangu, 21, said.

Earlier he told how he and Mr Lucky Mahlanga and Mr Mondy Motloun, 20, had entered South Africa illegally to commit sabotage to satisfy the aims of the banned African National Congress.

Mr Motloun has since been found unfit to stand trial because of a brain injury, and Mr Mahlanga escaped when they were stopped by the policeman, who searched a packet

they were carrying.

Mr Mahlangu said he had tried to bribe the policeman but he would not listen.

If he had been tackled by anyone as he ran down Jeppe Street, he probably would have surrendered without a fight.

Later after he had escaped from the garage and then returned to surrender when he realised that Mr Motloun had been captured, Mr Mahlangu tried to offer money to one of his captors, Mr Nicolaas Pretorius.

He wanted Mr Pretorius to "talk to the police on my behalf" and ask them not to assault him, Mr Mahlangu said.

He was overpowered by Mr Pretorius before he could discuss the money.

Mr Mahlangu's elder brother, Lucas, testified

that Solomon had suffered from a number of "sicknesses" when young.

He walked and talked in his sleep and had fits. He had been taken to a hospital and a witchdoctor for treatment, but it had not helped.

Mr Mahlangu has been charged with the murder of Mr Rupert Kassner and Mr Ken Wolfendale and the attempted murder of Mr Robert Bagg and Mr Peter Hartogh, all of whom were having tea in an office in the John Orr's garage when the shooting occurred.

He also faces three charges under the Terrorism Act, one charge under the Internal Security Act and one under the Explosives Act.

He has pleaded not guilty.

The case continues on Monday. — DDC.

Suspect says he came to SA for ANC

Cape Times 24/2/78

331

JOHANNESBURG. — One of the men allegedly responsible for the Goch Street shooting here last June admitted in the Circuit Court at Kempton Park yesterday that he and two companions came to South Africa to commit sabotage to satisfy the aims of the ANC.

Mr Solomon Mahlangu, 21, of Mamelodi, Pretoria was giving evidence in his defence before Mr Justice Theron and two assessors.

He has pleaded not guilty to nine charges arising from the shooting in which two men died at the John Orr's garage in Goch Street on June 13.

A second man, Mr Mondy Motloung, 20, was found unfit to stand trial.

Mr Mahlangu said yesterday that he was trained in the use of firearms and explosives at a camp near Luanda, Angola.

He was shown how to blow up railway lines.

Before crossing the border illegally from Swaziland he was given a Scorpion automatic pistol and a hand-grenade.

Other explosives were to be sent to him when he found a place to store them in South Africa, he said. He hoped to find a place in Pretoria.

When a policeman searched a packet he and Mr Motloung were carrying at a taxi rank in Johannesburg on June 13 and found a hand-grenade Mr Mahlangu tried to bribe him not to call for help.

When the policeman ignored him he and Mr Motloung ran down Jeppe Street. Mr Mahlangu escaped.

He did not know the John Orr's garage was a business premises. It looked like a good hiding place, so he went in.

Mr Mahlangu's elder brother, Lucas, testified that Solomon had suffered from a number of "sicknesses" when young. He walked and talked in his sleep and had fits.

Mr Mahlangu has been charged with the murder of Mr Rupert Kassner and Mr Ken Wolfendale and the attempted murder of Mr Robert Bagg and Mr Peter Hartogh, all of whom were having tea in an office in the John Orr's garage when the shooting occurred.

He also faces three charges under the Terrorism Act, one charge under the Internal Security Act and one under the Explosives Act.

There are alternative charges under the Terrorism, Explosives and Arms and Ammunition Acts.

The case continues on Monday.

The Deputy Attorney-General for the Transvaal, Mr E C Heller SC, assisted by Mr N Saunders, appeared for the state. Mr C R Mailer Instructed by Ismail, Ayob and Associates defended.

25/2/78 M (331)

Journalists fined for meeting

JOHANNESBURG — A magistrate here yesterday refused to listen to what he termed "a political speech" and fined 27 journalists R100 or 50 days each for attending an illegal gathering.

The magistrate, Mr H. F. Bosman, abruptly adjourned the court during the reading of the prepared statement of mitigation, read by Mr Zwelakhe Sisulu, 26, one of the accused. The statement had been signed by all the accused.

The opening text of a two-page document which Mr Sisulu began reading before Mr Bosman interrupted was: "Our march was designed to illustrate our conscientious objection at the continuous detention and harassment of black journalists in this country.

"This objection has been regularly brought to the attention of the Government through correspondence, official press releases and numerous leaders by newspaper editors.

"But, to put it mildly, we have been invariably snubbed. Instead, each word of protest was followed by further detentions and humiliation and more harassment."

At this point Mr Bosman interjected.

Mr Bosman said: "If he is allowed to read his statement, he will be given a political platform to criticise this court and various other Government bodies, and this court will not allow that."

The State earlier withdrew the case against a Star photographer, Mr Moroe Mosimane, 35, on the grounds that Mr Mosimane was working and was not part of the gathering. — SAPA.

Journalist denies terror charges

SUN Times 26/2/78 531

Sunday Times Reporter

MR ENOCH Duma, 36, a Sunday Times journalist, and Mr Aitken Ramudzuli, 24, a teacher, pleaded not guilty in the Johannesburg Regional Court this week to charges under the Terrorism Act, and alternative charges of sabotage.

In a written statement, Mr Duma said he was opposed to violence and had never conspired to commit unlawful acts. He was not a member of the banned African National Congress, nor did he sup-

port it.

The State has alleged that Mr Duma and Mr Ramudzuli associated themselves with the activities of the ANC, whose aims they were allegedly furthering.

The indictment says they and five co-conspirators planted explosives which damaged a railway line between Princess and Horison stations, Roodepoort.

The hearing continues next month at a special court in Krugersdorp. Both men are in custody.

DURBAN, FEBRUARY 26, 1978

TRANSVAAL 30c
FREE STATE 30c

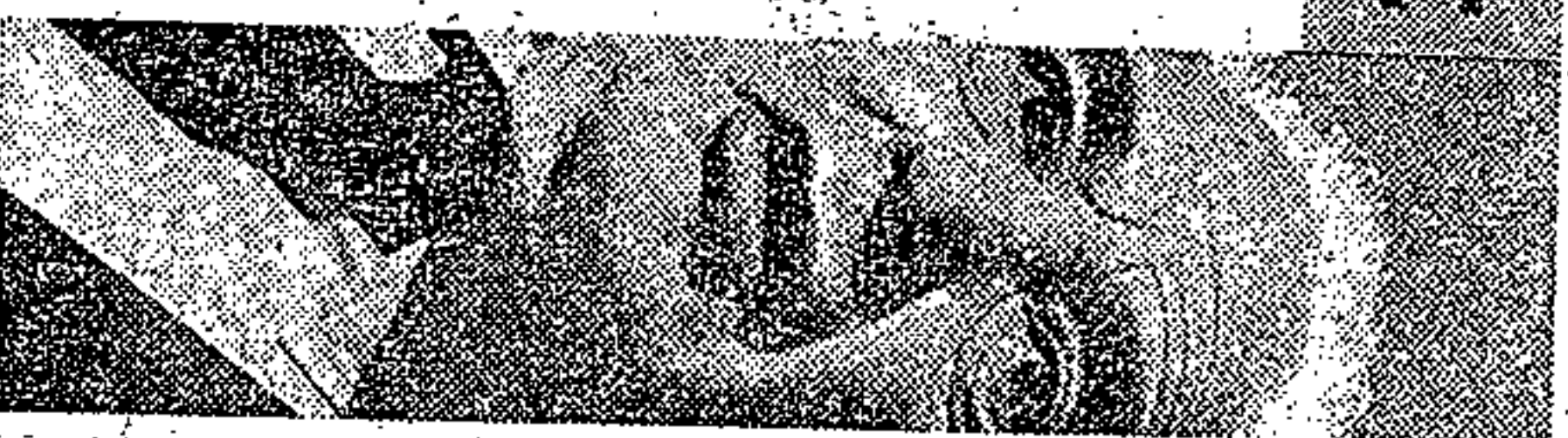
BORDER 30c
TRANSKEI 30c

EASTERN PROVINCE 35c
CAPE PENINSULA 35c

SOUTH WEST

Harry Oppenheimer named as target

TOP SECRET DEATH LIST



Mr O: Police regret he was named in court

Security police guard South Africans
from Angola ANC assassination squads

26/2/1978

331

BY PATRICK TAYLOR

ASSASSINATION and sabotage squads of the African National Congress are being trained in Luanda to murder South African political and business personalities.

The Security Police have put the ANC targets under special surveillance since receiving their names in statements taken from captured urban guerillas.

Mr Harry Oppenheimer is high on the ANC death list, but Brigadier Johann Coetzee, deputy chief of the Security Police, would not release the names of the other targets.

"We are guarding that information like a sacred crystal," he said this week. "If the ANC suspects we know its targets it will select new ones and we will be back to square one."

"Our guarding and surveillance systems would be nullified if our enemies knew what information we had obtained."

He said one cell of Luanda-trained Umkhonto We Sizwe terrorists had been instructed to assassinate leading South Africans. Umkhonto We Sizwe is the military wing of the ANC.

The Security Police first learned of ANC plans to murder top South Africans during the Rivonia trial in the early 1960s.

The ANC regularly changed its terror priorities. Assassinations were again being looked on as important urban terror tactics.

News of the ANC plans was revealed at the trial of Solomon Mahlangu in the Supreme Court this week. Mahlangu is accused of murder and attempted murder and charges under the Terrorism Act.

He was arrested after the shooting of two men in a warehouse in Goch Street, Johannesburg, in June.

Order to kill

A witness who cannot be named for security reasons testified that during training as an African National Congress guerrilla he was told to assassinate prominent South Africans.

The man said he was indoctrinated into the ANC ideologies in Mozambique in 1976. He was taken to Tanzania for further training. Later he was sent to Russia for intensive training in explosives and weapons.

He was transferred to a camp outside Luanda in Angola and then to Botswana for final instruction.

A senior Umkhonto We Sizwe instructor told him to murder important businessmen like Mr Harry Oppenheimer and "various Jews" in South Africa. Other instructions included blowing up trains carrying important Nationalist Party politicians.

Brigadier Coetzee said it was unfortunate that Mr Oppenheimer's name came out during the evidence. "But the witness is entitled to say what he pleases, so we could not stop him giving out this information."

City targets

The defence closed its case on Thursday. The trial continues tomorrow when the State will begin argument.

Police said soon after the Carlton bombing in Johannesburg last year that the ANC was responsible. It now appears they may have been expecting a wave of sabotage attempts in the city.

The witness said his instructions also included selecting targets like the Carlton Centre to sabotage. He was captured on his way into South Africa in 1977, before the Carlton blast.

In spite of the increased numbers of terrorists being trained for urban terror strikes, the Security Police have prevented significant strikes by the groups.

Journalist denies terror charges

Sunday Times 24/9/78
(331)

Sunday Times Reporter

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In a written statement, Mr Duma said he was opposed to violence and had never conspired to commit unlawful acts. He was not a member of the banned African National Congress, nor did he sup-

port it.

The State has alleged that Mr Duma and Mr Ramudzuli associated themselves with the activities of the ANC, whose aims they were allegedly furthering.

The indictment says they and five co-conspirators planted explosives which damaged a railway line between Princess and Horison stations, Roodepoort.

The hearing continues next month at a special court in Krugersdorp. Both men are in custody.

Terror accused ready to kill, says prosecutor

Star 27/2/28
331
"Solomon Mahlangu, charged with the Goch Street shootings, was a dangerous terrorist who had no regard for human life."

This submission was made in the Kempton Park Circuit Court today by Mr E C Heller SC (for the State) at Mr Mahlangu's trial.

Mr Mahlangu (21) was pleaded not guilty to two charges of murder, two of attempted murder and charges under the Internal Security and Terrorism acts.

A secondman, Mr Monday Motloun (20) has brain damage and is unfit to stand trial.

DANGEROUS

The State alleges Mr Mahlangu murdered Mr Rupert Kassner and Mr Kenneth Wolfendale and tried to murder Mr Peter Hartogh and Mr Robert Bagg at John Orr's warehouse, Goch Street, Johannesburg, last June 13.

Mr Heller said Mr Mahlangu was an untruthful witness who changed his evidence to suit the circumstances.

He said Mr Mahlangu was a highly dangerous terrorist who entered South Africa armed to the teeth and with the aim of carrying out terrorism

and destruction without regard to human life.

Mr C R Mailer, defending, said the State had to prove that Mr Mahlangu had the intention to commit murder.

He said the prosecution had not proved beyond a reasonable doubt that Mr Mahlangu and Mr Motloun who illegally entered South Africa, had an express agreement to kill.

(Proceeding)

331

Cape Times

28/2/78

Detainees appear on sabotage charges

Court Reporter

SEVEN men and a youth, previously detained under Section Six of the Terrorism Act, appeared briefly in the Magistrate's Court yesterday on charges of sabotage.

The men and the youth were not asked to plead, no evidence was led and the cases against them were postponed to March 3.

They were all remanded after the Deputy Attorney-General, Mr Dennis Rothwell, told the court in a written statement that he considered it necessary for six of them to be held in custody in the interests of the State and for maintenance of law and order.

Three charges

Mzolisis Pasiya, 18, Cebani Mtoba, 18, Kildas Jonilanga Bogwana, 18, and Edison Mpumelelo Pasiya, 18, appeared on one charge of sabotage while Lawrence Fezile Mvula, 18, appeared on three charges of sabotage; Joseph Mxolis Pantshwa, 22, appeared on two charges of sabotage and one of assault; Mzinwonke Solomon Jack, 18, and the youth appeared on one charge of sabotage and one of assault.

During the hearings in which the men and youth appeared, the court was packed. The court door was locked. The magistrate asked a woman to leave after she interjected during a hearing.

Mr J.W. Havenga was on the Bench. Mr P. Theron appeared for the State. Miss P. Kruger appeared for Pantshwa, Mvula, Bogwana and Jack. The rest were not represented.

mm 28/2/78 (33)

Shots trial nears end

Mercury Correspondent

JOHANNESBURG — Judgment in the Goch Street shooting trial will be given in the Circuit Court at Kempton Park tomorrow.

Final argument by the defence and prosecution counsel was heard yesterday when Mr. Solomon Mahlangu (21) of Mamelodi, Pretoria appeared before Mr. Justice Theron and two assessors.

He has pleaded not guilty to nine charges arising from the shooting in which two men died at the John Orr's garage in Goch Street on June 13.

An alleged accomplice, Mr. Mondy Motloung (20) of Duduza, Nigel, was found unfit to stand trial due to brain injuries probably caused by blows on the head with a sub-machine-gun during a tussle at the garage after the shooting.

Yesterday the Deputy Attorney-General for the Transvaal, Mr. E. C. Heller SC, who appeared for the State, submitted that Mr. Mahlangu was "a highly dangerous terrorist who came into South Africa armed to the teeth with the aim of sowing terror and destruction."

He asked that Mr. Mahlangu be found guilty on all nine counts.

There had undoubtedly been a common purpose between Mr. Mahlangu and Mr. Motloung, who according to evidence did the actual shooting in the garage, Mr. Heller said.

Mr. Mahlangu had supported and even enticed Mr. Motloung to commit the shooting and must have foreseen the actions of his companion.

Mr. C. R. Maller, for the defence, submitted that the State had not "come to grips" with the crux of the case which was whether or not Mr. Mahlangu had the intention to murder on June 13.

The State had not shown beyond all reasonable doubt that Mr. Mahlangu and Mr. Motloung were co-conspirators and had an express agreement to kill the men who died at the garage, he said.

There had in fact been no proof that there was a common purpose to "wantonly murder" anyone in South Africa.

There had also been no evidence that the ANC, who trained Mr. Mahlangu, aimed at the indiscriminate killing of people in South Africa, Mr. Maller said.

Goch Street: ^{331 28 2/78} argument ends

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Final argument by defence and prosecution counsel was heard yesterday when Mr Solomon Mahlangu, 21, appeared before Mr Justice Theron and two assessors.

He has pleaded not guilty to nine charges arising from the shooting.

An alleged accomplice, Mr Mondy Motloung, 20, was found unfit to stand trial as a result of brain injuries.

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Mr Mahlangu had supported and even enticed Mr Motloung to commit the shooting and must have foreseen the actions

of his companion.

Mr Mahlangu was an untruthful witness who had adapted his evidence to fit the circumstances, Mr Heller said.

Mr C. R. Mailer, for the defence, submitted that the State had not "come to grips" with the crux of the case which was whether or not Mr Mahlangu had had the intention to murder on June 13.

The State had not shown beyond all reasonable doubt that Mr Mahlangu and Mr Motloung were co-conspirators and had an express agreement to kill the men who died at the garage, he said.

There had in fact been no proof that there was a common purpose "wantonly to murder" anyone in South Africa.

There had also been no evidence that the ANC, who trained Mr Mahlangu, aimed at the indiscriminate killing of people in South Africa, Mr Mailer said.

Mr Mahlangu has been charged with the murder of Mr Rupert Kassner and Mr Ken Wolfendale. He also faces charges of attempted murder and charges under the Terrorism Act, the Internal Security Act and the Explosives Act. — DDC.

331
Cape Times 28/2/78

Goch judgment tomorrow

Own Correspondent
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He also faces three charges under the Terrorism Act, one charge under the Internal Security Act and one charge under the Explosives Act.

There are various alternative charges under the Terrorism Act, the Explosives Act and the Arms and Ammunition Act.

Totalitarianism

Political

Trials

~~15 March.~~

MARCH — MAY.

1978

ARGUS 30/3/78

Second subpoena for UCT student

MR Nicholas 'Fink' Haysom, former Nusas president and SRC president at UCT, has been served with a second subpoena asking him to testify against the detained Swapo official, Mr Peter Manning.

Last week Mr Haysom of Vine Street, Gardens, refused to testify against Mr Manning and was sentenced to four days' imprisonment, of which he served five hours.

Yesterday security policemen served Mr Haysom with an almost identical subpoena, telling him to answer certain questions concerning Mr Manning before a Cape Town magistrate on April 17.

SWAPO OFFICIAL

Mr Manning, a high-ranking publicity official for Swapo, was detained in January in Windhoek and is due to appear on April 11 on charges of contravening the Terrorism and Official Secrets Acts.

The subpoena demands to know whether Mr Haysom knew Mr Manning, whether he had met with him to discuss Swapo 'propaganda,' whether Mr Haysom knew about an alleged 'snarl' pamphlet and whether he and Mr Manning had exchanged publications.

REFUSED

Mr Haysom refused to answer the questions last week, saying he liked Mr Manning and agreed that Swapo held the only hope for harmony in the territory.

He was warned by the magistrate, Mr P L May, he could be subpoenaed repeatedly 'until they get the information they want out of you.'

Mr Haysom is a final-year law student.

PAC case postponed again

1/3/78 20
331
EAST LONDON — The case in which two Mdantsane men are charged with involvement with the banned Pan-Africanist Congress has been further postponed to March 20.

At the start of the hearing Mr Joseph Mayedwa, 55, and Mr McWilliam Sityza Simon, 44, pleaded not guilty to unlawfully becoming or continuing to be office bearers, officers or members of an unlawful and banned organisation — the PAC — and of taking part in the activities of the PAC or carrying on in the direct or indirect interest of the organisation's activities in which it was or could have been engaged.

On the question of bail a letter from the Deputy Attorney General, Mr S. A. Engelbrecht, was handed in to court which stated:

"I consider it necessary in the interest of the safety of the State and the maintainance of public order that Mr Joseph Mayedwa and Mr McWilliam Simon shall not be released on bail or otherwise until sentence has been passed or they had been discharged."

DDR

Star 11/3/78 (331)

Terrorists force wife to decapitate husband

Own Correspondent

BULAWAYO — A gang of terrorists has forced a headman's wife to decapitate her husband with an axe.

A security force spokesman said the atrocity took place in the Gwaranyemba tribal trust land, near Gwanda.

Six terrorists entered the headman's kraal at about 9 pm and called him and his family out of their huts.

The tribespeople were made to strip and the headman was then bayoneted six or eight times. After beating him on the head, the terrorists ordered his wife to chop his head off with an axe.

She was forced to strike at his neck three or four times before the terrorists allowed her to stop. The terrorists then absconded.

Follow-up operations were in progress, he said.

A communique issued in Salisbury yesterday said the war in Rhodesia had claimed 25 more lives and that a stock thief had been killed.

Eight terrorists had been killed and 10 terrorist collaborators, it said. One of the dead terrorists was identified as a "political commissar."

Three tribesmen had been killed in terrorist crossfire and four tribes-

men had been murdered by terrorist gangs in the operational areas.

One of the four was bayoneted to death and shot 50 times by the terrorists.

Meanwhile, a Belingwe farmer, Mr Johannes Hofmeyr (70), has just recovered from his third terrorist attack, in which he was wounded in the leg and shoulder.

He said in Bulawayo yesterday that he left his hospital bed after two weeks to show his labourers that he was not dead — and then returned to hospital to have a bullet removed from his shoulder.

Star
11/5/78

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331

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He said in Bulawayo yesterday that he left his hospital bed after two weeks to show his labourers that he was not dead — and then returned to hospital to have a bullet removed from his shoulder.

Man found guilty in Goch Street case

JOHANNESBURG — Mr Solomon Mahlangu, 22, of Mamelodi, Pretoria, was found guilty in the Circuit Court at Kempton Park yesterday of nine charges arising from the Goch Street shooting last June.

Mr Justice Theron and two assessors found Mr Mahlangu guilty of murdering Mr Rupert Kassner and Mr Ken Wolfendale and of attempting to murder Mr Peter Hartogh and Mr Robert Bagg, all of whom were having tea in an office at the John Orr's garage in Goch Street on June 13.

He was also found guilty of three charges under the Terrorism Act, one charge under the Internal Security

Act and one charge under the Explosives Act.

Mr Mahlangu had pleaded not guilty on all counts.

Mr Justice Theron said although Mr Mahlangu had not shot the men himself or thrown the hand grenade in the garage he was equally as guilty as his companion, Mr Mondy Motloung, who had committed the acts.

Mr Motloung, 20, of Duduza, Nigel, was found unfit to stand trial due to brain injuries probably caused by blows on the head with a sub-machinegun during a struggle after the shooting.

In spite of his evidence that he had entered South Africa to commit sabotage

and not kill people, Mr Mahlangu must have known a situation could arise in which his weapon and explosives or those of his companions would be used with fatal consequences, Mr Justice Theron said.

This was an implied mandate between Mr Mahlangu and Mr Motloung and the conclusion was unanimous that Mr Mahlangu had the intention with Mr Motloung that firearms would be used with the full realisation that death would follow, the judge said.

The defence will call witnesses to give evidence on extenuating circumstances today. — DDC.

N M 2/3/78 (331)

9 terror convicts given leave to appeal

JOEMFONTEIN — The Appeal Court has granted nine men, convicted in the Natal Supreme Court on charges of participating in terrorist activities, leave to appeal against their convictions and sentences.

The men are Mr. Themba Harry Gwala, Mr. Anton Xaba, Mr. John

Vusimusi Nene, Mr. Vusimusi Truman Magubane, Mr. Matthews Mokholeka Meyiwa, Mr. Azaria Ndebele, Mr. Zakhele Elphas Mdlalose, Mr. Joseph Ntuliswe Nduli and Mr. Cleopas Melayibone Ndhlovu.

Mr. Justice J. A. Howard, sitting with assessors at

Pietermaritzburg on July 15, 1977, found the men guilty on various charges of participation in terrorist activities in contravention of Section 2(1)(A) of Act 83 of 1967.

Mr. Gwala, Mr. Xaba, Mr. Nene, Mr. Meyiwa and Mr. Mdlalose were each sentenced to life imprison-

ment. Mr. Magubane was sentenced to 15 years' jail, Mr. Ndebele to seven years' jail, Mr. Nduli to 15 years' jail on one charge and 10 years' jail, seven years to run concurrently, on a further charge, and Mr. Ndhlovu to 10 years' jail plus 10 years', five years to run concurrently.

Mr. Justice Howard had refused them leave to appeal. In his judgment he said in his opinion none of the accused had a reasonable prospect of succeeding in an appeal against conviction or convictions. He said the sentences were severe, but in his opinion severity was called for. — (Sapa.)

Goch Street terrorist sentenced to death

Solomon Mahlangu (21), an African National Congress terrorist, was today sentenced to death for the murder of two men in Johannesburg's Goch Street shooting last June 13.

Sentence was passed by Mr Justice Theron, sitting with assessors, in the Kempton Park Circuit Court. There were no extenuating circumstances.

As the death sentence was being passed, Mahlangu raised a fisted salute and turned to the packed public gallery. He screamed "Amandla" (Power) but there was no immediate response from dozens of people who packed the courtroom.

As he was being taken to the cells below he shouted Amandla again and a few people responded with clenched fists. One of those who responded was his own attorney, Mrs D Jana, who had been listening to the trial for almost three weeks.

After the lunch adjournment Mrs Jana had a whispered conversation with Mrs M Mahlangu who had listened to her son's trial. She quietly left the courtroom and did not hear the death sentence being passed.

The court found Mahlangu guilty of murdering Mr Rupert Kassner and Mr Kenneth Wolfendale and attempting to murder Mr Peter Hartog and Mr Robert Bagg at John Orrs warehouse in Goch Street.

Mahlangu was convicted on two charges of murder, two of attempted murder, three under the Terrorism Act as well as charges under the Internal Security and Explosives Act. He had pleaded not guilty to all the charges.

Man to hang for Goch St shooting

Own Correspondent

JOHANNESBURG.

Solomon Mahlangu, 21, of Mamelodi, Pretoria, was sentenced to death in the Circuit Court at Kempton Park yesterday for his part in the Goch Street shooting last June.

Mr Justice Theron and two assessors who found Mahlangu guilty on Wednesday on nine counts found yesterday that there were no extenuating circumstances.

At the start of the three-week trial Mahlangu pleaded not guilty to murdering Mr Rupert Kassner and Mr Ken Wolfendale and attempting to murder Mr Peter Hartogh and Mr Robert Bagg at the John Orrs garage in Goch Street on

June 21.

He pleaded no guilty to three charges under the Terrorism Act, one charge under the Explosives Act and one charge under the Internal Security Act.

In his judgment on Wednesday Mr Justice Theron said although it had been Mahlangu's companion, Mr Mondy Motloung, who did the shooting and threw the hand-grenade into the garage, the two shared a common purpose and Mahlangu was equally as guilty.

Mr Motloung, 20, of Duduza, Nigel, was found unfit to stand trial due to brain injuries probably caused by blows on the head with a sub-machine gun during a struggle after the shooting.

Death for 3/2/78 00 00 shootings

JOHANNESBURG —
Solomon Mahlangu, 21, of
Mamelodi, Pretoria, was
sentenced to death yester-
day for his part in the
Goch street shooting last
June.

Mr Justice Theron and
two assessors found there
were no extenuating cir-
cumstances.

Before being led from
the dock Mahlangu gave
several clenched fist
salutes, and shouted:
"Amandla." (power). —
DDC.

4/3/78 M 331

PAC trial man gets 10 years

EAST LONDON — An Mdantsane man was found guilty in the Regional Court here yesterday on two counts in connection with his involvement with the banned Pan-Africanist Congress.

Mr Gladwell Mbali, 43, pleaded not guilty to becoming or continuing to be an office bearer, officer or member of the banned PAC and another count of taking part in the activities of the PAC or carrying on in the direct or indirect interest of the organisation's activities in which it was or could have been engaged.

After being found guilty on both counts, Mr Mbali, who admitted a previous conviction of participating in activities of an unlawful organisation and another of sabotage, was sentenced to three years imprisonment on the first count and seven years on the second — both counts to run concurrently.

In his judgment, the magistrate, Mr J. H. Jordaan, said in the light of all the facts and probabilities of the case all State witnesses made a favourable impression on the court.

They neither contradicted themselves on the facts nor did they give the impression they were biased against Mr Mbali or

that they tried to protect somebody else to gain immunity, Mr Jordaan said.

He said Mr Mbali and the witnesses had been old friends and this was borne out in the evidence of the witnesses and that of Mr Mbali.

"In the light of all the evidence and circumstances surrounding the case it sounded more probable that a meeting had been pre-arranged by Mr Mbali to discuss matters of the PAC and this was more so in that old members of the PAC gathered together.

"There is one outstanding matter the witnesses omitted and that was Mr Mbali had given the instructions and explained how the cells should be formed.

"It is also common cause that the PAC had been declared an unlawful organisation and will probably operate underground.

"The State had thus proved that Mr Mbali was a member of the PAC and that he took part in its activities," Mr Jordaan said.

— DNR

W/E ARGUS 4/3/78

331

3

By JULIET BELL

MOTHERS who had not seen their detained children for months wept as the sons were brought up from the cells to appear in the Cape Town Magistrate's Court this week.

The court was packed on Monday and Friday as nine young people from Guguletu were charged, in five separate trials, with public violence and sabotage.

Fighting back tears, mothers told how they saw their sons for a few seconds this week — the first glimpse they had of them for months.

'I cried in court on Monday,' said Mrs Maggie Boqwana. 'My son Kildas was detained on November 3 last year.'

'Those months of detention have been the worst months of my life, a young mother said. Her son, accused, of sabotage, is under 18.

'And now I don't know what is going to happen to him,' added the woman, who cannot be

Women cry in court

named because it would identify her son.

About 40 school friends of the accused were also at court.

Mrs Edith Pantshwa told yesterday how her son Joseph, 19, was detained in September last year at 4 am. Until Monday she had not seen him again, nor had she been able to take him fresh clothes.

'I went to Pollsmoor and Caledon Square to look for him but nobody

could tell me where he was. Then I was told by the CID that he would be in court this week.

'He waved at me from the dock and smiled and it was terrible to see him there.' She said she had heart trouble and had lain awake at night worrying about her son.

'I visited him on Thursday this week and he just said: 'Mummy, all this time you never brought me fresh clothes, why?'

Cape Times 4/3/78 (331)

8 pupils appear on sabotage charges

Court Reporter

EIGHT Guguletu pupils, previously detained under Section 6 of the Terrorism Act, appeared in the magistrate's court yesterday on charges of sabotage in four separate hearings...

They were not asked to plead, no evidence was led and the cases were postponed to the Hermanus regional court. Crowds milled outside the court with some relatives seeing the accused for the first time in months.

All the pupils were remanded after the court was told at an earlier hearing that the deputy attorney general considered it necessary for six of them to be held in custody in the interests of the State and for maintenance of law and order. Joseph M Putshwa, 22, and Mzolisi Pasiya, 21, and two youths were remanded till April 25.

Sipho Singiswe, 18, Solomon Jack, 18, and Mr Puntshwa, who appeared on a charge of assault as well as the charge of sabotage were kept in custody until April 17. Kildas Boqwana, 18, and a youth were remanded till May 1.

The youth also appeared in a separate charge with Mr Edison Pasiya, 18, and they were remanded till May 8.

Mr J W Havenga was on the Bench. Mr P Theron appeared for the State. Miss P Kriger appeared for Mr Puntshwa, Mr Boqwana and two of the youths.

His eyes fixed on his mother's face then he jerked his head round and sat with both hands clasped in his lap and his head bowed. He knew then he would hang.

By PATRICK TAYLOR

A FEW minutes before ten on Thursday morning, two black policemen led Solomon Mahlangu up the stairs from the Kempton Park courtroom grille to his seat facing the platform where the judge and his assessors would sit.

It was the most important day of his life. In the afternoon Judge Theron, a florid-faced, white-haired man, would decide whether he would live or die.

Two days before Mahlangu had been found guilty of murder and of being a terrorist.

He was frightened. He glanced at the crowd packed behind him. Whites to his left and blacks to his right. He looked along the rows of people, past the impassive stares of the policemen with sub-machineguns, to his relatives.

His eyes fixed on his mother's face. Then he jerked round and sat with both hands clasped in his lap and his head bowed. He knew then he would hang.

Marta, his 49-year-old mother, had drawn a thin black line from the centre of her forehead down to the tip of her nose. It signified a death in the family.

She was already in mourning for him. After lunch Judge Theron passed the death penalty.

People hardly ever live up to the popular images of characters cast in their roles and Solomon is no exception. He doesn't look like a terrorist.

In his thin sports jacket and slacks he looks like the high school pupil he was until 10 months ago.

But he took part in a vicious armed attack on helpess men in a Johannesburg warehouse in June last year. Two men died in the hail of automatic weapons fire pumped into them as they drank tea. Solomon hurled a grenade. It was an uncharacteristic act.

ARMED AND DANGEROUS

Solomon Mahlangu: He took part in an armed attack



Marked to die

A black mourning sign on a mother's forehead told her terrorist son that he would be hanged



Mrs Marta Mahlangu this week. The riots changed Solomon

Equally bizarre is the transition from schoolboy to trained killer.

Solomon grew up in Mamelodi, a township near Pretoria. He is the youngest of six children. One of his two brothers is a prison warder in Pretoria.

"I know now that it was the riots that changed Solomon," said Mrs. Mahlangu. "It was a

ANC he did not hesitate. Solomon must have stood out from the crowds of rioting pupils because a few months later an African National Congress agent recruited him.

"He told me I would be trained as an ANC diplomat," said Solomon in his testimony at the trial. It was an obvious lie, but Solomon was taken in by

In October, 1976, he left home one morning and did not return.

"We searched all over for him. We even went to ask the police if they had arrested him, but eventually we gave up. But I did not believe he was dead," said Mrs. Mahlangu. Solomon's dreams of an important diplomatic post were soon dashed.

AN Rivkin weighs in the proportions of the Scorpion arched in the US Mar and a handful, shuffles, a bullet-explosives (ogun and an attack-tr would be s. He is a bounty hunt ANC prompts earth I'll track you had found it," says the man who place for the commissions from bo Solomon ipeers.

Monday Mott captured after Street attack head injured fit to stand

VICTIM OF AFTER LOVE

ELVE months ago Claudine Longest was found guilty of the criminally negligent homicide of her lover der Sabich and served 30-day jail sentence.

Today, she is an outcast, victim of unashamed by the people of epen, Colorado. Her

Mercedes sports car has been filled with farm-ard manure and ashed with redwood n: daily shoals of hate are delivered to her

clapboard home, s been sent to Coven- by her former friends had abuse hurled at in the street.

vid now her late lover's ily are suing her for R3 ion. he glamorous looks made her a star of the s Folles and the Las was nightclubs and were

heavy lad . . .

PAC trial is told of messages

331

M.M. 7/3/78

BETHAL — A State witness told the Circuit Court here yesterday he had received a message from Swaziland at the end of 1976 that "freedom fighters" were about to enter the country and he was to find houses to hide them.

Mr. Y. was giving evidence before Mr. Justice D. J. Curlewis in the trial of 18 alleged members and supporters of the Pan African Congress who have all pleaded not guilty to charges of participating in terrorist activities, alternatively of furthering the aims of the outlawed organisation.

Mr. Y said he received the message from Mr. Sam Malinga, a courier for the PAC. Mr. Malinga, who is listed as a co-conspirator in the trial, died in detention last year.

Mr. Malinga had told him he had just returned from PAC officers in Swaziland and had a message for Mr. Robert Sobukwe, former leader of the PAC who died in Kimberley last week.

Among the things Mr. Malinga had told him was that there were no bushes for the freedom fighters to hide in in South Africa and that they must look for widows' houses in Soweto.

Other points of Mr. Y's evidence were that after the Soweto riots Mr. John Ganya, one of the accused, had sent about 60 school-children to Swaziland for military training.

Early in 1977 Mr. Ganya visited Mr. Sobukwe in Kimberley to ask for money to send children "who want to fight for freedom" for military training.

Mr. Y also said that when Mr. Seph Mothopeng, one of the accused, was detained late in 1976 he was asked to take his place but said "the position was not fit for me."

The trial continues today.

— (Sapa.)

(33) 9/3/78 DA

Inquest: police theory queried

DURBAN — The Security Police belief that Dr Hoosen Haffejee, 25, was a trained urban terrorist and a member of a dangerous subversive organisation provided a "powerful motive for excessive and over-zealous interrogation."

This was submitted by Dr W. E. Cooper, SC, (for the Haffejee family) at the inquest before Mr T. L. Blunden here yesterday.

Argument was given yesterday at the inquest into the death of the Durban dentist who was found hanging in his cell at the Brighton Beach police station on August 3 last year. Dr Haffejee was detained by Security Police the previous day.

Dr Cooper dealt at length with the numerous bruises and marks found on Dr Haffejee's body at the post mortem. He argued that the police theory that these injuries were sustained during two struggles to get Dr Haffejee into the police vehicle was not acceptable.

He said both Lt J. B. Taylor and Capt. P. L. du Toit of the Security Police could not point to any specific occasion during these struggles in which any of the injuries would have been effected.

Dr Haffejee was a slightly built man and much weaker than the policeman who subdued him. Their evidence was that both struggles were of short duration and not excessively violent, Dr Cooper said.

He submitted that Dr Haffejee would have been overawed by the size of the policemen and would not have dared to resist them.

"The probability is that if we accept the police evidence that they suspected Dr Haffejee had had training in urban terrorism and that they considered him a dangerous person belonging to a dangerous organisation — there was a powerful motive for excessive and over-zealous interrogation."

"If we take these factors into consideration, then the only reasonable inference to be drawn is that Dr Haffejee sustained these injuries while being interrogated and not in the car struggles."

Dr Cooper asked the court to make a finding on these injuries which he submitted were not satisfactorily explained by the police.

Judgment will be given next Wednesday. —
SAPA.

Swazis convict

ANC men

15/12/78
(331)
The Star's Africa News
Service

MBABANE—Three members of the African National Congress of South Africa were convicted in Mbabane yesterday of illegal possession of arms.

They are Zacharia Winfred Madela (24), a former Baragwanath Hospital clerk; Thamsanqua Humphrey Makhubu (23) and Thuthuka Dennis Hlube (22), both former students at Naledi High School in Soweto.

They were arrested last month when Swaziland security police found them in the cab of a disused truck at a store about 5 km from the South African border.

They were found with a loaded machine pistol, a hand grenade, 27 rounds of ammunition and three magazines.

Sentence will be passed today.

Cape Times 16/3/78

Pamphlet bomb cell smashed: two to appear

Own Correspondent

JOHANNESBURG

Security police have made a breakthrough in their investigations into the series of pamphlet bomb explosions in South Africa during 1976 and 1977.

Full details of the uncovering of the underground propaganda cell have not been released, but police confirmed that two Cape university students are soon to be charged under the Terrorism Act in the Cape Town Supreme Court.

Brigadier Johan Coetzee, deputy head of the security police, confirmed yesterday investigations into possible charges were almost complete and it was expected the two would appear in court within the next few days.

Although police would not give details, it is suggested that the trial of the two men could produce sensational evidence, reminiscent of the Rabkin-Cronin trial in Cape Town in 1976.

Security police in Cape Town and Johannesburg combined during the investigations, which started in mid-February with the discovery of a large quantity of pamphlets of ANC origin.

In the arrests that follows, police detained the two students, as well as four other people in Cape Town.

Detectives seized pamphlets believed to have been printed overseas and apparatus that could be used in the construction of "bucket bombs".

Terrorist died in siege

Staff Reporter

ERMELO—A police sergeant today told a special court in Ermelo that after a shootout he razed the hut where a terrorist was hiding.

The charred body of Mr Toto Skhosana was found in the hut in Pongola the following day, together with two Russian pistols, ammunition and hand grenade detonators.

Sergeant Albertus Steyn was giving evidence in the trial of Sipho Aaron Madondo (19) of Soweto, who was convicted today of three counts under the Terrorism Act.

Sergeant Steyn told the court that on November 3 last year he accompanied a number of policemen to a hut in Pongola, about 4 km away from Swaziland.

After telling the occupants to come out, Sergeant Steyn entered the hut and brought Madondo out.

SHOTS

Two women also left the hut, but the fourth occupant refused to come out.

Sergeant Steyn said this man fired shots at police and threw a hand grenade.

"The captain then said we must set the hut alight," Sergeant Steyn said.

Sergeant Steyn said that after they set the grass roof of the clay hut alight the policemen heard a number of explosions.

The following morning, the body of Mr Skhosana was found, as well as two Scorpion machine pistols, ammunition and three hand grenade detonators.

Mr Skhosana's body was impregnated with shrapnel from a hand grenade.

After he was found guilty, Madondo told the

an boer

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gebruik

n boer:

arlike koste aan boer)

ander dienste b.v. saad, gebruik van plaasmasjinerie

rtikels verskaf deur boer (jaarliks)

oste aan boer:

arliks)

(jaarl court that he left school after the June 1976 riots.

He came into contact with ANC members and received military training in Germany.

per:

gsger

(Proceeding)

boer (jaarliks):

sdienste:

koste aan boer van: doktersrekeninge betaal

medisyne

vervoer na en van geriewe

ander

iese koste

drae deur boer (jaarliks)

gsbydrae deur boer (jaarliks)

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State witness tells why he told of PAC plan

EAST LONDON — A State witness who gave evidence in the case in which two Mdantsane men are charged with involvement with the banned Pan Africanist Congress told a Regional Court magistrate his only interest was to "wriggle" himself out of the case.

The witness, who cannot be named because of a court order, was replying to a question under cross-examination by the defence counsel whether he regarded himself as having betrayed his colleagues and whether he thought the Security

Police were satisfied with his evidence in court.

Mr Joseph Mayedwa, 55, and Mr McWilliam Siyeta Simon, 44, are charged with unlawfully becoming or continuing to be office bearers, officers or members of the unlawful banned organisation — the PAC — and of taking part in the activities of the PAC or carrying on in the direct or indirect interest of the activities in which the PAC was or could have been engaged.

The witness said he was asked by the two accused to organise in Port Elizabeth and after he had organised, they would come down or somebody else would come to him.

The witness agreed Mr Simon had asked him to come down to East London to repair his car.

He admitted that the Security Police had told him after he had been detained under Section Six of the Terrorism Act that he would be held in solitary confinement until he told the truth otherwise he would be kept in custody indefinitely.

He then made a statement to the Security Police two weeks after his detention.

He did not take part in the PAC activities after 1974 and when he said he was a member he only meant that he was a member because he did not yet resign from the

PAC after it was banned.

Another witness from Port Elizabeth said while he was in East London to do work for his firm, he met Mr Gladwell Mbali, who also had connection with the PAC as regional organiser, in Mr Simon's house at Mdantsane.

They spoke in general and Mr Mbali then asked him to start recruiting in Port Elizabeth because those men he recruited would have to be sent out of the country for military training on December 16, 1975.

He said he had also met Mr Simon in Port Elizabeth in 1974 and told him that Mr Mbali was keen to have the organisation revived and that he (Mr Simon) had been asked by Mr Mbali to assist.

He could not say if Mr Mayedwa had any connections with the PAC.

He refused to make a statement to the Security Police on the first occasion they interrogated him but made one four days later.

The hearing continues today. — DDR

Waarde

(e) Grond

Opport.

Waarde

Water

Koste

(f) Klerer

(g) Bonus (jaarlike)

(h) Geskenke (jaarliks: artikels

Koste aan boer:

(i) Ontspanningsgeriewe verskaf:

Koste aan boer (jaarliks):

(j) Gesondheidsdienste:

Jaarlikse koste aan boer van: doktersrekeninge betaal
medisyne
vervoer na en van geriewe
ander

(j) Totale mediese koste

(k) Pensioenbydrae deur boer (jaarliks)

(l) Versekeringsbydrae deur boer (jaarliks)

21/9/88
331

b.v. saad, gebruik van plaasmasjinerie
f deur boer (jaarliks)

(331) NM 21/3/78

Envoys may not attend PAC trial

BETHAL — Mr. Justice D. J. Curlewis yesterday dismissed a defence application to allow two diplomats to attend the hearing of 18 alleged members of the banned Pan Africanist Congress, being held in camera in the Circuit Court here.

Mr. Justice Curlewis said the two diplomats, one from the United States and one from Sweden, did not have a proper and legitimate interest in the case.

"I am indifferent as to whether my decision pleases Pretoria, Washington or Stockholm," he said.

Last week, Dr. Wilfred Cooper SC, counsel for the defence, applied to have the closed hearing ruling relaxed for the two diplomats.

Mr. Sven Allard, First Secretary for the Swedish legation in South Africa, and Mr. Richard Baltimore, Second Secretary of the United States embassy, who came from Pretoria were refused permission to attend the trial.

In his application Dr. Cooper said they wanted to attend the trial for a day at the request of their governments. They were not private individuals or members of the public, but members of the diplomatic corps whose governments showed an interest in political matters.

Dr. Cooper said the diplomats would not divulge the identity of State witnesses if they were allowed to attend the trial.

Turning down the application, Mr. Justice Curlewis said he was not impressed by the argument. The diplomats only wanted to attend the trial for a day and the fact that the trial was progressing slowly and would run for many months showed that they were not attending to ascertain the facts of the case.

The only inference he could draw was that they wished to see whether he, the State and possibly the

Skeerders

Vraelys aan boere (2)

ie span terwyl hulle op u plaas werk?

nige ander betalings terwyl hulle op u plaas
ndien wel, gee besonderhede.

waarde aan u van die betalings?

elfde span aanstaande jaar gebruik? Waarom/Waarom

ie oomblik 'n tekort aan skeerders?

tekort sal in die toekoms ontwikkel? Indien

om?

ierdie tek

defence were behaving in a way which appealed to the world, the Judge said.

The 18 accused have all pleaded not guilty to charges of participating in terrorist activities, alternatively of furthering the aims and objectives of the banned Pan Africanist Congress. — (Sapa.)

PAC judge turns down diplomats

By PAM KLEINOT

BETHAL. — Mr Justice Curlew yesterday dismissed a defence counsel application to allow two diplomats to attend the trial of 18 alleged members of the Pan-Africanist Congress which is being held in camera in the Bethal Circuit Court.

Mr Justice Curlew said the two diplomats, one from the United States and one from Sweden, did not have a proper and legitimate interest in the case.

"I am indifferent as to

whether my decision pleases Pretoria, Washington or Stockholm," he said.

Last week Dr Wilfrid Cooper, SC, for the defence, applied to have the closed-hearing ruling relaxed for the two diplomats to attend the trial.

Mr Sven Allard, first secretary for the Swedish embassy in South Africa, and Mr Richard Baltimore, second secretary for the US embassy to South Africa, drove from Pretoria to Bethal last week but had to go home without attend-

ing the trial.

They had come at the request of their governments.

In his application, Dr Cooper said they were not private individuals but members of the diplomatic corps whose governments showed an interest in political matters.

Mr Justice Curlew turned down the application.

The envoys wanted to attend only for a day and the fact that this trial was progressing slowly and would run for many

months showed that they were not attending to ascertain the facts of the case, he said.

He said the only inference he could draw was that they wished to see whether he, the State and possibly the defence were behaving in a way that appealed to the world.

At the end of his ruling, Mr Justice Curlew apologised to Dr Cooper for referring to him as Mr Pitman, another member of the defence team, after Dr Cooper pointed out his mistake.

After the ruling, Miss A, a State witness, told the court she had been arrested on June 23 last year.

She was then cross-examined by Dr Cooper about the Young African Religious Movement and Student Council Movement (SCM).

She then refused to answer a question on the SCM, saying she was in court to answer questions on Yarm. But Dr Cooper told her she was obliged to answer all questions and the judge nodded. She then said she was not interested in the SCM and knew nothing of its activities.

The 18 accused have all pleaded not guilty to charges under the Terrorism Act.

The trial continues today.

Waarde aan boer

(e) Grond

Oppervlakte verskaf gebruik

Waarde aan boer:

Water (jaarlikse koste aan boer)

Koste van ander dienste b.v. saad, gebruik

(f) Klerer: artikels verskaf deur boer (jaar

Koste aan boer:

(g) Bonus (jaarlikse)

(h) Geskenke (jaarliks: artikels

Koste aan boer:

(i) Ontspanningsgeriewe verskaf:

Koste aan boer (jaarliks):

(j) Gesondheidsdienste:

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(j) Totale mediese koste

(k) Pensioenbydrae deur boer (jaarliks)

(l) Versekeringsbydrae deur boer (jaarliks)

Cape Times 21/3/78

Diplomats may not attend (331) PAC trial

Questionnaire to workers

(first name only)

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yesterday dismissed an application to allow two diplomats to attend the hearing of 18 alleged members of the banned Pan Africanist Congress, being held in camera in the Circuit Court here.

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Mr Justice Curlewis said they were not attending to ascertain the facts of the case. The only inference he could draw was that they wished to see whether he, the State and possibly the defence were behaving in a way which appealed to the world.

The hearing continues today. — Sapa

ber

did you come to this farm?

you ever thought of going to work in a city?

yes, why don't you?

what sort of work (if any) would you rather do - either on a farm or somewhere else?

what jobs would you like your children to do?

if your worker has not been to school: Why didn't you go to school?

if your worker began but did not complete schooling: Why didn't you finish your schooling?

blems

1.. What would you most like to see changed in your working conditions? (wage, payment in kind, hours, holidays)

In your living conditions? (housing, recreational facilities)

Tapes played at incitement trial

Cape Times
21/3/78
331

KIMBERLEY. — Tape recordings of speeches by Mr Norman Middleton, an executive member of the Labour Party, were played in the Regional Court here yesterday.

Mr Middleton is charged with inciting racial hatred by inflammatory remarks he allegedly made at a political meeting at De Aar on April 20, 1976.

At the last hearing, on December 23, 1977, Mr C Mailer, for the defence, argued that the tapes were inadmissible as evidence and the case was postponed for

judgment to yesterday.

Yesterday the magistrate, Mr T E J O'Connell, ruled the tapes could be played in court.

A tape allegedly recorded at Port Elizabeth on November 16, 1975, was played to the court.

Mr Middleton is alleged to have said: "I want to tell you of the identification of the oppressed people of South

Africa today, the slogan by which you are identified . . . whenever the white man speaks to you talk of your power: 'Amandla'".

Later in the speech he allegedly said: "We are not black power, in fact, we are opposed to any form of power. We are opposed to the so-called white power that rules this country, but we believe in the humanpower of the black consciousness."

In another tape, allegedly recorded at a meeting of the Labour Party in Graaff-Reinet on November 15, 1975, Mr Middleton is alleged to have said: "I believe in the near future I will be able to walk to any church which is nearest to me, rather than looking around for a white church and a coloured church."

I don't think this is what God intended for Christianity. And I know one thing, that if Jesus Christ was allowed and was present today in South Africa he would have been on Robben Island, not in any church."

Cross-examination of Mr Middleton will begin today. — Sapa

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3. What sort of work (i
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rather do - either

4. What jobs would you
Why?

to do?

5. If worker has not been to school: Why didn't you go to school?

If worker began but did not complete schooling: Why didn't
you finish your schooling?

Problems

1.. What would you most like to see changed in your working
conditions? (wage, payment in kind, hours, holidays)

In your living conditions? (housing, recreational facilities)

Daily Dispatch 23/3/78

Mdantsane PAC men acquitted

331

EAST LONDON — Two Mdantsane men who are alleged to have been involved in the banned Pan Africanist Congress were acquitted in the Regional Court here yesterday of charges under the Internal Security Act.

The magistrate, Mr S. van Zyl, said he strongly suspected Mr Joseph Mayedwa, 55, and Mr McWilliam Siyeta Simon, 44, had taken part in PAC activities between June 1974 and June 1977.

But the onus was on the State to prove their guilt beyond all reasonable doubt.

Taking into account the caution with which the court had to view the evidence of witnesses whom the defence and prosecution had described as quasi-accomplices, there was an element of doubt.

Mr Mayedwa and Mr Simon had to be given the benefit of the doubt, Mr Van Zyl said.

Mr Mayedwa and Mr Simon had pleaded not guilty to unlawfully becoming or continuing to be officers, office

bearers or members of a banned organisation and taking part in its activities.

Mr Van Zyl said it was common cause Mr Mayedwa, Mr Simon and the three State witnesses — whose names the court has ordered not to be published — were members of the PAC before it was banned and none of them had resigned. But the organisation's activities were suspended and ordinary resignations could not be made.

"From the evidence, I accept that the PAC has gone underground and is still alive."

According to the witnesses, the police knew everything before they were detained, and they knew the police knew. The court realised the circumstances in which they had made their statements were not normal.

One of the witnesses had admitted he would put a friend in trouble to get himself out of trouble.
— DDR.

DAILY DISPATCH
23/3/78

2331

Police raid home

JOHANNESBURG — Four members of the Security Police yesterday raided the home of Mrs Helen Joseph and removed a typewriter after an hour-long search.

They then moved on to the Catholic Convent of the Good Shepherd Provincialate and after searching through one of the sisters' possessions removed five typewriters.

Sister Pauline said one of the men had said the search was connected with the detention of her brother, Mr Peter Manning, in Windhoek in January this year.

The police refused to comment on the raids.

Another sister of Mr Manning, Mrs Kathy Burt, was jailed this week for four months for refusing to answer questions about

him. Mrs Burt and her husband Chris have been staying with Mrs Joseph. — DDC.

Cape Times 23/3/78 33/

Race incitement trial adjourned

KIMBERLEY. — The case against Mr Norman Middleton in the regional court here was adjourned yesterday by the magistrate, Mr T E J O'Connel, who told counsel for the defence and the State prosecutor that he was tired of the acrimony between them.

He said court would reconvene when Mr C Mailer, appearing for the defence and Mr T J A Mancktelow, for the State, had composed themselves.

Mr Middleton is charged with inciting racial hatred at a political meeting of the Labour Party in De Aar on April 20, 1976.

The court adjourned after Mr Mailer raised an objection in response to questions put to Mr Middleton by Mr Mancktelow under cross-examination.

Cross-examination of Mr Middleton on tapes allegedly recorded at a Labour Party meeting in Graaff-Reinet on November 15, 1975, and at Port Elizabeth on November 16, 1975 continued yesterday.

Mr Middleton said the quote "Hullo depressed people of South Africa . . . today will go down in history as the day in which we declared war on the white people of South Africa", meant depressed people should declare war against the government and its institutions, not against the white people.

He denied that such a remark would worry whites in the sense of hostility, but said it might worry them in the sense of changing attitudes.

The remark "We must hit (the Dutchman) where it hurts, and it hurts in his sports," was a message against racism in sport.

The reason this sport-loving was isolated in sport was that sport was segregated and he was against this, Mr Middleton said.

He explained that the remarks: "White man, time is running out," and "White man it is two minutes to twelve" were intended to convey the message: "Please change, while there is still time."

He said it was a fact time was running out. He and his colleagues in the black community were the last generation still prepared to talk to whites.

He denied emphatically that portions of the speeches were designed to drive a wedge between races, as Mr Mancktelow stated.

The case was postponed to June 5. — Sapa

rm? If yes,

How will you cope with this shortage?

Haysom freed after 5 hours in prison

A FORMER Nusas president, Mr Nicholas "Fink" Haysom, who was subpoenaed to give "relevant information" pertaining to "alleged espionage" in SWA/Namibia in the Magistrate's Court on Thursday, was "a free man again" after serving only five hours of a four-day prison sentence for refusing to answer questions in court.

Mr Haysom was subpoenaed in terms of Section 205 of Act 51 of 1977 and was asked by the magistrate, Mr P L May, to answer four questions about Mr Peter Robert Manning, held in Windhoek for "allegedly committing an act of espionage in terms of Act 16, 1956, Article 2 (b) (c)".

The four questions were submitted to Mr Haysom in writing on his subpoena. They were:

- Do you know Peter Manning?

- Did Manning approach you at the University of Cape Town in connection with Swapo propaganda and if so, give full details?

- Have you seen the "snarl" document which was shown to you on Thursday, 3/9/78 by Warrant Officer Gunter before, and do you know something about it and by whom it was distributed and by whom was it shown to you?

- Did you ever forward or receive publications for Manning?

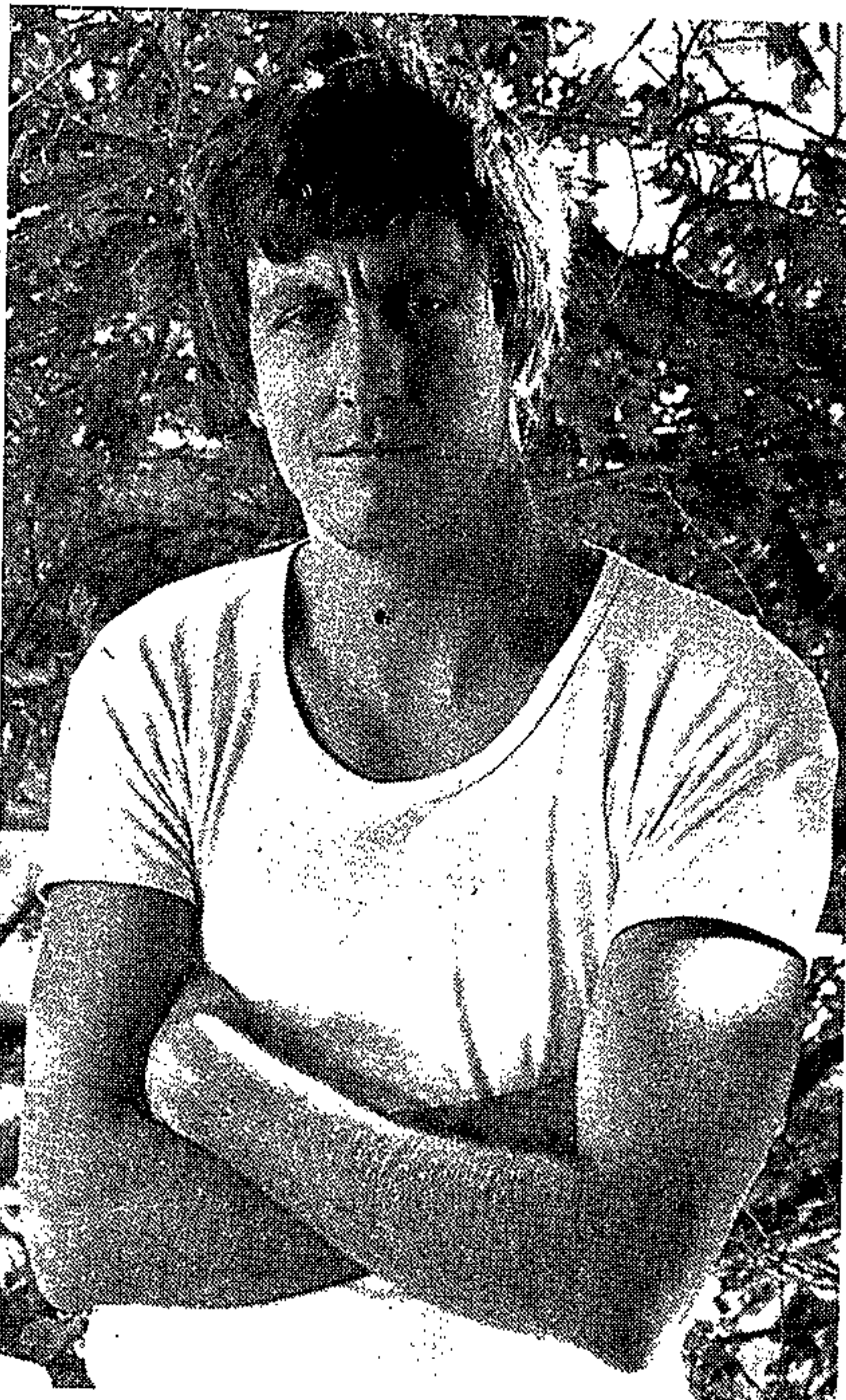
Mr May appealed to Mr Haysom to answer the questions. Mr Haysom replied that he would not answer them but asked to be allowed to read a statement under oath.

Mr Charles Nupen, for Mr Haysom, was advised to ask Mr Haysom to reconsider. Mr Haysom, after refusing again to answer the questions, was allowed to read his statement.

His decision not to answer questions in court was "essentially a moral one", the statement read.

"I know and like Peter Manning. We attended the same university and I have met him subsequently. I found him sincere, honest and compassionate and staunchly religious.

"The decision to participate in these proceedings, for this



Nicholas "Fink" Haysom home again yesterday after serving five hours of a four-day prison term.

reason alone, would be a difficult one. It is particularly unfortunate that my presence here is as a result of a harmless and brief encounter during which nothing illegal was contemplated.

"The questions I have been asked appear to me to be very distant from the actual alleged offence. It is surprising to me that I am here at all."

A further dilemma posed by his presence in court on the subpoena was that "Manning himself was partisan in the present political scenario that is being played out daily in SWA/Namibia. I understand that he is a member of the internal wing of Swapo. I

that the South West African People's Organization was not only the most popular movement but was also the one that held most hope for harmony and development for SWA and all her people. I share that belief."

The choice not to answer questions in court "has been honestly and painfully exercised and will be sincerely defended".

When the statement had been read into the record, Mr May said he had no choice but to pass a prison sentence, even though — in view of the nature of the questions — he did not consider the offence to warrant a prison sentence.

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to four days.

"I was booked into Pollsmoor and had been there for only five hours when I was told by a prison official that I was free to go."

Mr Haysom said the reasons given by the prison for his early release were that prison officials could reduce the length of short-term prison sentences and as it was their policy to release prisoners before a public holiday, he was allowed to go — "the next day being Good Friday".

Mr J Vermeulen appeared for the State.

Aan boere wat geen skole op

1. Het u ooit aandag gegee aan die u plaas? Indien nee, waarom
2. Wie se hulp of advies sal u inr op u eie plaas te hê.
3. Het iemand u ooit genader en vo op te rig. Indien ja, wie?
4. Gaan al die kinders van u plaas hoeveel van hulle gaan wel skool?
5. Dink u dat u werkers beter werk het vir hul kinders. Indien
6. Dink u dat, met die ontwikkelin meer ervare en opgeleide werl administratiewe en soortge.
7. Het u enige probleme in verban wat elders skoolgaan? Indien

30/3/78
331
**2 charged
with Saso
connection**

JOHANNESBURG — Two young Pimville men appeared before a magistrate here yesterday on allegations of being members of the banned South African Students Organisation.

The allegations also refer to the possession of a Saso pamphlet, "A Tribute," and photocopies made from it.

Mr Edwin Mankoe, 22, and Mr Thomas Mashela, 21, both pleaded not guilty to charges under the Internal Security Act.

Mrs G. W. Blunden, a secretary at the Union Corporation Company where the two accused are employed, said both the accused had used the photocopying machine on several occasions.

"On November 9 last year, I found Thomas using the photocopying machine. I saw that he was making copies of a Saso document," she said.

Mr Mankoe said: "I was at the Nancefield railway station when I picked it (the document) up from the floor and took it to work. I kept it for a week and gave it to Thomas and asked him to make photocopies for himself and me."

Mr Mashela said: "I made five photocopies of the document. I didn't want to do it. While I was doing it Mrs Blunden caught me."

The case has been postponed to a date to be arranged. — SAPA.

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CAPE TOWN — Mr Nicholas Haysom, a former Nusas president, was yesterday sentenced to 12 months' imprisonment after failing to supply information on Mr Peter Manning, a Swapo member. He was refused bail pending appeal.

He had been subpoenaed to appear in court to answer four questions concerning Mr Manning.

They were: Do you know Peter Manning? Did Manning approach you at the University of Cape Town in connection with Swapo propaganda and if so, give full details? Have you seen the "snarl" document, which was shown to you on Thursday, March 9, by Warrant Officer (P. J.) Gunter before, and do you know something about it and by whom was it distributed and by whom was it shown to you? Did you ever forward or receive

331 18/4/78

Ex-Nusas man gets 12 months

publications for Manning?"

Mr Haysom was sentenced to four day's imprisonment last month for refusing, on moral grounds, to answer the same questions. He only served five hours of the sentence.

Before Mr Haysom was called to answer the questions yesterday, Mr E. L. King, for Mr Haysom, objected to the court proceedings on the grounds that there was no evidence before the court that the magistrate who issued the subpoena had exercised his judicial dis-

cretion.

Mr King said the section under which Mr Haysom was subpoenaed said a magistrate "may" require the attendance of a person who is likely to give information about any offence, whether or not it be known or suspected.

Mr King said this implied the magistrate must exercise his judicial discretion and there was no evidence before the court that he had.

Mr P. Theron, who appeared for the State, said it was important that Mr Haysom answer the questions because Mr

Manning would be going on trial on April 25 on charges under the Official Secrets Act. The charges would be under the section governing espionage and carried a maximum term of 15 years' imprisonment.

The magistrate, Mr L. P. Smit, then overruled Mr King's objection.

Mr Haysom was called to the witness box and refused to take the oath. He said his refusal was not based on religious grounds, but that the court was not properly called.

In passing sentence, Mr Smit said Mr Haysom must be forced to give the information to the State.

"I do not regard him as a criminal. I have to force him to do something he does not want to do — force him to speak."

He sentenced Mr Haysom to 12 months' imprisonment. — SAPA.

18/1/78 Evidence of post office bomb at terror trial

West Rand Bureau

Evidence that a bomb was planted last year at the main Pretoria post office was given at the Krugersdorp terrorism trial today.

A former teacher, Mr Aitken (Duke) Ramudzuli (24) and a Johannesburg journalist, Mr Enoch Duma, have pleaded not guilty to charges under the Terrorism and Sabotage Acts. These include plotting with Mr George Molebatsi and Mr Zachariah Tolo to plant explosives at the main Pretoria post office and carrying out the plan.

Mr Ronnie Lapsha, a student teacher of Garankuwa, Pretoria, said he went to "Zaich's house on a Wednesday last year and found Mr Ramudzuli and "George."

Mr Ramudzuli said that in the morning he went with "George" and planted a time-bomb at the main Pretoria post office. It was due to explode at 10 am.

"What made George cross was that he discovered that his watch was an hour slow and the bomb would be delayed," said the witness.

He said they listened to the radio and awaited news of the explosion.

REMOVED

Duke said that he suspected that a worker who had seen them at the post office discovered the bomb and removed it.

Mr Lapsha said that on a prior occasion Mr Ramudzuli had shown him six pieces of TNT, each the size of a cake of soap, two handgrenades and three cigarettes containing detonators and had explained to him how to make a time bomb.

"I felt a chill running down my spine when the things were shown to me," said the witness.

Mr Lapsha described "George" as a "giant of a fellow, he would not like to be involved with physically. He had a commanding voice to scare the pants off you and instilled great fear in me."

The witness said that "George" snarled at Mr Ramudzuli who appeared nervous of him but the latter could "stand his man."

Mr Lapsha said that on another occasion at "Zaich's" house, Mr Ramudzuli discussed the African National Congress and "Zaich" appeared to be an authority on the ANC and the Pan African Congress.

(Proceeding)

● Terror trial told of bomb plan. — Page 4.

Like the sad melody from the court cells . . .

AS RESIDENTS of Bethal, the sleepy platteland town in the south-eastern Transvaal, go about their daily business, they may just catch snatches of muted song coming from their new yellow face-brick court building.

For most of them, this sad chorus may be the only sign that South Africa's largest Terrorism Act trial is taking place in their town.

Like so many other small towns on the Highveld, Bethal is dominated by a multi-towered grain silo on one side and a tall church steeple on the other.

In between are three of the town's newest buildings: The magistrate's court, the two-storied police station and the sprawling new prison, still being completed, to the south of the town.

Together they form the main reason why this trial of 18 alleged supporters of the banned Pan African Congress is being held in Bethal. This is the first trial involving the PAC since the early 1960's.

The men, aged from 20 to 65, first appeared in the special court in Bethal in December last year.

With their identifying numbers pinned on thin sticks behind each of their heads, the accused sit in two long docks, one behind the other. Few other docks would accommodate this number.

Each day, before coming up the narrow staircase from the holding cells beneath the court,

the accused sing slow, gentle songs in their native tongues.

Initially, interest in the trial, especially among local blacks, was high. The first few times the men appeared in court, the public galleries were packed and the court was heavily guarded by armed policemen.

But the size and length of the trial — and the fact that the judge has ordered that it be held behind closed doors — has further removed the events at issue from the daily lives and concerns of most Bethal citizens.

Of more interest is the massive new Sasol II plant being built a half-hour drive away and the nearby giant Kriel power station. Both are contributing to the business upsurge in Bethal, which is experiencing a commercial boom as well as remaining

The PAC trial fingers on

BY JILL MCILRAITH



Mr. A. Pitman, (left) and Mr. A. Wilson, defence advocates.



the centre of a rich farming area.

The charge-sheet in the trial runs to 50 pages and covers events that took place over a time span of 14 years in seven cities in South Africa and in three foreign countries.

None of the accused comes from Bethal and, according to the indictment, none of the alleged acts took place in the area.

Among the 86 alleged co-conspirators was the former Robben Island prisoner and president of

the PAC, the late Mr Robert Sobukwe.

The trial, now entering its third month, is expected to last from eight months to a year, with the State having called only about a dozen of the 165 witnesses it has available.

Prosecutors refuse to say how many of these witnesses are in detention, but many are being brought to Bethal from other areas.

The accused are charged with taking part in terrorist activities, conspiring to overthrow the

Government and trying to revive the PAC.

The offences are said to have taken place on Robben Island, in Johannesburg, Pretoria, Cape Town, East London, Kimberley, Krugersdorp and Roodepoort, and in Botswana, Swaziland and Libya.

At the request of the State, represented by Transvaal's Deputy Attorney-General, Mr P. G. Haasbroek, SC, Mr Justice Curlewis has ordered that the hearing be held in camera to protect the witnesses.

Newspaper reporters, carrying police Press cards, are allowed to report the proceedings provided no witnesses are identified. The application to hold the trial behind closed doors was opposed by the defence advocate, Mr Andrew Wilson.

But the lengthy trial has had some impact on this town of 20 000 people. Most of the people involved in the prosecution or the defence are living in Bethal on a semi-permanent basis.

With three defence advocates, the instructing attorney and their aides, the two State advocates plus police and other court officials — plus the demand for accommodation by people working at Sasol and Kriel — housing in the town is at a premium.

One of three hotels in town has been allowed to accommodate blacks — one of the defence advocates and the instructing attorney are both black.

The State advocates are living permanently in one of the smaller hotels opposite the court. Tents have been erected outside the police station to accommodate black policemen brought to Bethal for the trial.

But the judge has permitted the most unusual accommodation — a fully self-contained railway carriage (plus black cook) parked at Bethal station.

Surrounded by a high security fence and guarded night and day by an armed railway policeman, this private carriage has become home for Mr Justice Curlewis.

The accused and the witnesses in detention are being held at the new prison. Attempts to find houses to stay in for the duration of the trial have met with little success. With the influx of people into the area, rents are high and few homes on the market.



Mr Griffiths Mxenge, a former Robben Island prisoner, now a banned person practising law in Durban, who is appearing as an instructing attorney for the defence in the PAC trial. He has been a lawyer in several important sabotage trials

Hector Ncokazi to stand trial

ENGCOBO — The Leader of the Democratic Party, Mr Hector Ncokazi, was committed for trial here yesterday when he appeared on two counts under the Transkei Public Security Act.

He is charged with the prohibition of statements and acts subverting the authority of the State and its officers and the prohibition of statements and dissemination of views and doctrine subverting the sovereignty of Parliament or constitutional independence of Transkei.

Mr Ncokazi pleaded not guilty to both charges.

A packed gallery and a crowd thronging the verandah outside the courtroom heard evidence led by the State witness, Const M. T. Ludidi, who

attended the congress of the party last December.

Const Ludidi said Mr Ncokazi was the first to address the congress and copies of his speech were circulated. He was issued with a copy.

The copy of the speech was handed to the court.

Mr R. S. Canca, for Mr Ncokazi, reserved his cross examination.

Mr Canca asked for a copy of the charge sheet and more particulars concerning the charges.

He said Mr Ncokazi would deny he was the author of the document and that he delivered the speech.

The prosecutor, Mr E. Sivuku, had no objection to bail of R200 on conditions Mr Ncokazi surrendered travel documents in his possession, that he did not leave Transkei, that he refrained from making public speeches before his trial, or making any written statements for publication.

Mr Ncokazi paid the R200 and was told the Attorney-General would inform him about the date of the trial if he decided to be tried in the Supreme Court. — DDR.

yours ago.

Cape Times 19/4/78

Sabotage trial witness tells of arson plans

1

Own Correspondent

HERMANUS. -- A woman witness, who may not be named, gave evidence at a sabotage trial here yesterday. The magistrate ruled on Monday that the witness's name may not be disclosed.

The three accused are Joseph Pantshaw, Solomon Jack and Siphosiso Singiswa. All three have pleaded not guilty.

The witness said she had been in detention for the past seven months and she wanted her mother to be in court when she testified. This request was granted.

After she had been warned as an accomplice in terms of the Criminal Procedure Act, she said that at a memorial service in Guguletu last year in August police dispersed a crowd at a graveyard and chased the mourners with dogs. Some of the mourners were arrested.

A meeting was held at Sezeke High School in Guguletu, also in August, where Mr Pantshaw addressed the crowd. The purpose of the meeting was to get everyone to mourn for three days for the people, who had died in the 1976 riots.

Agreed to burnings

The witness said another meeting was held at a Mr Johnny's house in Guguletu where everybody present, including the accused, agreed to burn down the schools in the area. This included the Sizamile High School in Nyanga -- the only school mentioned in the indictment.

The following day, however, it was decided not to take action and everybody agreed that the schools should not be burnt down, but that a student representative council be formed. The witness said, "We realized that protesting did not help, because we gave the police a chance to kill us."

Under cross-examination, the 20-year-old woman said she had been arrested last year in September and was kept in solitary confinement until she was brought to court to give evidence. The police told her she was held under Section Six of the Terrorism Act, and if she did not give a statement she would be kept in jail for 10 years.

For the first two to three weeks of her detention she was interrogated from 7.30am to 5pm by various security policemen, including a Captain Steyn, Major Swart, messengers Aggenbach, De Villiers and Vermeulen. One of them, Mr Aggenbach, called her a damned bitch.

During her seven months in detention she continuously asked if her mother could visit her, but her request was always refused. She saw her mother for the first time less than a month ago.

The witness said that after three weeks of interrogation she gave a statement, because she was influenced by the 10-year jail threat. She also said, "much of my statement came from the mouths of the interrogators".

Asked if she was threatened to give evidence, she said a security policeman, Mr Vermeulen, told her yesterday that if she did not give satisfactory evidence there were so many State witnesses that the accused would be convicted in any case.

She added that she had been in detention for seven months and in that time had never been brought in front of a court.

The hearing continues today.

years ago.

Cape Times 19/4/78

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ARGUS
Cape Times 18/4/78 ① 114
② 331

2

Ex-Nusas head jailed for year

A FORMER president of the University of Cape Town's SRC, Nicholas Haysom was sentenced to a year's imprisonment by Mr L P Smit in the Cape Town Magistrate's Court yesterday for refusing to answer questions concerning Mr Peter Manning, a Swapo official.

Bail pending appeal was refused.

Haysom, 25, of Vine Street, Gardens, who was also Nusas president last year had been subpoenaed to answer questions concerning Mr Manning.

Mr Manning is appearing in Windhoek on charges under the Official Secrets and Terrorism Acts.

Haysom had been asked whether he knew Mr Manning, whether he knew about an alleged 'snarl' document, whether he and Mr Manning had met on the UCT campus and whether they had exchanged any publications.

BRIEF ENCOUNTER

On March 23 Haysom refused to answer the questions in the Cape Town Magistrate's Court, saying his presence in court was the result of a



Nicholas Haysom

'harmless and brief encounter' and that he believed Swapo held the most hope for harmony in the territory.

Mr E L King (for Haysom) said the State had not proved the court proceedings were appropriate to the matter and that it had been necessary to subpoena Haysom.

Mr L P Smit said he was satisfied the proceedings were in order after the prosecutor, Mr P Theron, told the court Mr Manning was appearing on charges of espionage.

INFORMATION

Warrant Officer Petrus Johannes Gunter of the Security Police told the court he understood Haysom had certain information which would be helpful to the State in Mr Manning's trial.

Mr Smit said the State had 'to force Haysom to speak immediately.

Haysom was convicted yesterday under the new Criminal Procedures Act.

Mr King was instructed by Buchanans of Wynberg.

Like the sad melody from the court cells . . .

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The PAC trial lingers on

By JILL McILRAITH

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Cape Times 14/4/78

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The Cape Times, Fri

Appeals of two women upheld

BLOEMFONTEIN: — The appeals of Mrs Ilona Kleinschmidt and Miss Jackie Bosman, both of Johannesburg, against their convictions in the magistrate's court last year were upheld in the Supreme Court here yesterday.

Their sentence of 12 months each for declining to answer questions under the New Criminal Procedure Act were set aside by Mr Justice H J O van Heerden, with Mr Acting Justice D A Kotze concurring.

They were convicted after appearing at an examination before Mr R T Housego in connection with alleged offences committed by Mrs Winnie Mandela, who is restricted to the Brandfort district.

Mrs Kleinschmidt is the wife of the self-exiled member of the Christian Institute, Mr Horst Kleinschmidt, and Miss Bosman was the arts editor of the Financial Mail.

The appeals of two other women, Mrs Helen Joseph, 72, and Mrs Barbara M Waite, who also declined to answer questions in connection with Mrs Mandela, succeeded in part.

Mrs Joseph's sentence of four months was reduced to two weeks, and Mrs Waite's sentence of 12 months was reduced to two months.

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Koste van ander dienste
- (f) Klere: artikels verska
Koste aan boer:
- (g) Bonus (jaarliks)
- (h) Geskenke (jaarliks: ar
Ko
- (i) Ontspanningsgeriewe ver
Koste aan boer (jaarlik:
- (j) Gesondheidsdienste:
Jaarlikse koste aan boer

SA trio jailed for arms offence

Star 16/8/28

331

The Star's Africa News Service

MBABANE — Three Soweto men who brought a Russian-made machine pistol and other weapons into Swaziland have been sentenced to a year in jail for illegal possession of arms of war.

The three, all members of the African National Congress of South Africa, were sentenced to a further 400 days imprisonment or R400 fine for illegal possession of firearms.

As the three — Zacharia Winfred Madela (24), Thamsanqua Humphrey Makhubu (23) and Thuthuka Dennis Hlube (22) — were taken away to begin serving their sentences yesterday they gave the black power salute to fellow South African refugees outside the court.

Makhubu and Hlube are both former students of Naledi High School in Soweto and Madela once worked as a clerk for Baragwanath Hospital.

CLAIM

Hlube was sentenced to an additional six months in jail for possession of 130 grams of dagga.

The Chief Magistrate of Swaziland, Mr P E J Corduff, accepted as extenuating circumstances the claim by the defence that the three men were involved in a war in their country.

But he said it was not within the jurisdiction of the court to rule whether or not they were fighting a just war.

The court was told Swaziland security police found them in the cab of an abandoned truck 5 kilometres from the border.

plaasmasjinerie

medisyne

vervoer na en van geriewe

ander

- (j) Totale mediese koste
- (k) Pensioenbydrae deur boer (jaarliks)
- (l) Versekeringsbydrae deur boer (jaarliks)

Judge challenges 'political label'

Star 14/4/76 (33)

A Circuit Court judge, Mr Justice F S Steyn, today took issue with counsel who referred to a terror trial and political trial as being the same thing.

Mr E Dane was cross-examining a witness in the trial of a Johannesburg journalist, Mr Enoch Duma, and a former school teacher, Mr Aitken Ramadzuli. They both pleaded not guilty to charges under the Terrorism and Sabotage Acts at Krugersdorp.

Mr Dane asked a 17-year-old witness if she had read of the ANC trial in Pretoria. She said she was not concerned about that.

Mr Dane: Don't you ever read of political trials?

Mr Justice Steyn: What do you mean by political trials?

Mr Justice Steyn: What do you mean by political trials, Mr Dane?

Mr Dane: A terrorism trial.

The judge: A terrorism trial is not a political trial. Do you equate terrorism trials with political trials?

Mr Dane: Well, that is colloquial language, my lord.

The judge: This matter will have to be mentioned to the Bar Council.

Mr Dane: Well, then I will speak of terrorism trials.

The judge: It is not a question of interpretation, it is a question of facts. Are there political trials in South Africa or not? As I understand you, certain trials in South Africa are political?

Mr Dane: That is so, my lord. I equate terrorism trials with political trials.

The judge: Precisely. That is a very serious statement for a counsel of your standing.

(Proceeding)
Assessors: Mr H S Bosman, Professor M J Oosthuizen, Mr G Bizos is defending Mr Duma.

● Schoolgirl tells of seeing grenade. — Page 8.

Schoolgirl tells of seeing grenade

West Rand Bureau

A schoolgirl today told the terrorism trial court in Krugersdorp that an accused showed her a hand grenade and said: "We use it to blow up trains."

The girl (17), who cannot be named, was giving State evidence before Mr Justice F C Steyn and assessors at the trial of former teacher, Mr Aitken Ramudzuli (24) and Sunday Times reporter, Mr Enoch Duma (36), both of Dobsonville, Soweto, who have pleaded not guilty to charges under the Terrorism and Sabotage Acts.

She said she stayed with Mr Ramudzuli on the weekend of September 2 last year. At one stage he went outside and brought back a hand grenade.

After speaking of blowing up trains, Mr Ramudzuli said he was "going against oppressors."

He also said he made

frequent trips to Botswana and had received military training in Tanzania.

Mr E. Dane, for Mr Ramudzuli, asked the girl if this statement made a big impression on her. She said it had not.

Mr Dane: Do people often tell you they have gone for military training?

— No.

Mr Dane: What do you think he meant by military training? — He had told me he was a boxer so when he spoke of that, I thought that was boxing training.

The hearing will be resumed on Monday.

4. PROPOSED DEVELOPMENTS FOR THE FUTURE - Proposal for the

establishment of a Training Centre for

Fisheries Science at Rhodes University,

Grahamstown.

EDA Aquaculture project.

5. Addresses.

6. References.

Tilapia; Mogel; Mullet. Exotic fish; Trout; Carp; Silver carp and grass carp.

3. NOTES ON VARIOUS TYPES OF FISH - Indigenous fish: Barbel;

TRANSKEI

Indigenous and exotic fish species; Madwaleni Hospital.

EASTERN CAPE

Inland Fisheries by Anton Bok; Grahamstown.

Terrorism trial begins

Mercury Reporter

13/4/78

331

PIETERMARITZBURG — The capital's second terrorism trial this year opened yesterday when the defence counsel applied for an adjournment on the grounds that he had not had time to prepare his case.

Mr. M. Moerane told Mr. Justice Thirion and two assessors in the College Road Supreme Court he had been briefed last week and had managed only three consultations with his client.

Mr. Moerane is defending Mr. Vusumuzi Lucas Mbatha (28), a high-school teacher who is facing two charges under the Terrorism Act and two under the Internal Security Act.

Although Mr. Moerane initially applied for a two-month adjournment Mr. Justice Thirion said this would be out of the question.

Consult

Mr. Justice Thirion suggested an adjournment until today so Mr. Moerane could have time to study the State's reply to his request for further particulars on the charges, and could consult his client.

Mr. Mbatha is facing two charges of unlawfully taking part in terrorist activities, one of the execution of actions calculated to further the realisation of the aims of communism, and one of distributing banned publications.

In an eight-page indictment handed in to the Court the State alleged, in relation to the first charge, that Mr. Mbatha incited and helped seven other Africans named in the indictment to make petrol bombs and other ex-

plosive devices to kill Whites and to destroy their property.

It is also alleged he planned to organise a school tour of Swaziland with the intention of kidnapping the children and sending them to other African States for military training.

Stolen

He also, it is alleged, repeatedly preached the idea that the existing system of government in South Africa was illegal and that the Whites had stolen the land from the Blacks.

He also allegedly compared capitalism to slavery and advocated a Marxist/socialist system, and encouraged the seven people to tune in to radio stations in Mozambique, Zambia or Moscow or other African States that broadcast inciting propaganda against the Whites and the Government.

In the second charge it is alleged that from April 1, 1976, to December 14, 1977, in the Mondlo District of KwaZulu, Mr. Mbatha helped, encouraged or incited nine Africans to get military training in South Africa or elsewhere which could be used to endanger law and order.

An alternative to the second charge is that Mr. Mbatha encouraged, helped

or incited the nine people to undergo training in the Republic or elsewhere which could be used to further the aims of communism and of the ANC.

Philosophy

In the third charge it is alleged that Mr. Mbatha propagated the philosophy that South Africa's present capitalist-orientated system was wrong and that a Marxist system was preferable.

He also allegedly propagated the idea that Blacks in South Africa should join an organisation known as the "People's Organisation Front for the Liberation of South African Blacks," or the ANC, with the idea that when the organisations were strong enough they would attack the Government and set up a Black government.

Mr. Mbatha also allegedly instructed Norman Nkosphezulu Mhlungu to recruit members for the organisation, or the ANC, to form them into a cell and educate them in the aims of the organisations.

In the fourth charge it is alleged that Mr. Mbatha distributed *Sechaba* — Vol. 10, first quarter, 1976, a banned publication, during February, 1977, in the Nqutu district.

The hearing continues today.

Abbott, P.H.R.D.

Candidate

1977
Course of Study : BA
Year of Study : 2

76 CKI(1);LI(2)-II(2-3);CKI(2-*)

STAR 13/4/78

Court hears of PAC pamphlets from New York

A witness in the terrorism trial in Krugersdorp today said she arranged for a parcel containing R1 000 and PAC pamphlets to be brought from Botswana.

Miss Ellen Nyamande (24) gave State evidence before Mr Justice Steyn and assessors in the trial of former teacher Mr Aitken Ramudzuli (24) and Sunday Times reporter Mr Enoch Duma (36), both of Dobsonville, Soweto, who have pleaded not guilty to charges under the Terrorism and Sabotage Acts.

REPLY

In June 1977 Mr Ramudzuli asked her if she would be prepared to go to Botswana. She had been there before and agreed.

Later, Mr Ramudzuli, took her to meet Mr William Modau, who gave her R50 for the fare and a letter addressed to Mr

David Dileko in New York, USA.

Mr Modau told her to send the letter express post from Botswana and to bring back the reply.

She posted the letter in Gaborone and returned to South Africa without a reply.

In July her friend in Botswana phoned to say a parcel had arrived.

Miss Nyamande persuaded a friend, Tsitsi, to fetch the parcel, because her mother had burned her passport.

Tsitsi returned with R1 000 in two envelopes and a sheaf of red pamphlets about 2 cm thick.

"To the people of Azania, long live the PAC," said the pamphlets' title.

She gave the money and pamphlets to Mr Ramudzuli.

(Proceeding.)

The assessors are Mr H S Bosman and Professor M J Oosthuizen. Mr E de Vries is prosecuting. Mr E Dane is defending Mr Ramudzuli. Mr G Bizos is defending Mr Duma.

Sabotage: 2 jailed

PORT ELIZABETH — Two men charged with sabotage were jailed for five years each yesterday by a regional magistrate here who found that they had gone to a block of flats with the intention of burning it down.

Mr Michael Nzotoyi, 35, and Mr Peter Sample, 18, were charged with sabotage, alternatively, arson, alternatively malicious injury to property. — SAPA

Southe

Two charged with railway sabotage

12/4/78
33

Unit

KRUGERSDORP — A railway patrolman said he gave the alarm when he found a railway line in the Roodepoort district damaged by what he thought were explosives in the early hours of July 27 last year.

He said this in evidence when a former teacher, Mr Aitken Ramudzuli, 24, and a Johannesburg journalist, Mr Enoch Duma, 36, appeared in a special court here yesterday on charges under the Terrorism and Sabotage Acts.

Both men pleaded not guilty before Mr Justice Steyn and two assessors.

The patrolman said he flagged down trains, told

train drivers to slow down and gave the alarm to the Railway Police when he discovered the line damaged after hearing an explosion.

Mr Edward Magatusa, a teacher of Supingstad near Zeerust, said Mr Ramudzuli applied for a teaching post at the school last August. Later that month, Mr Ramudzuli came to the school and said he was on his way to Botswana.

Mr Ramudzuli returned a few days later with a bag and showed him a bomb. It was marked TNT, said Magatusa.

The case continues. — SAPA.

A SURVEY OF FISH FARMING

IN SOUTHERN AFRICA

Giles Hobson

Saldru Working Paper No. 18

In co-operation with the
Environmental and Development Agency (EDA)

Police put 'terrorist' tag on body

11/4/78 (331)

Mercury Correspondent

SALISBURY — Special branch men in Rhodesia put a label "terrorist leader" on the body of a Black politician, Mr. Julius Tamangani, and took photographs of it, a leading Black nationalist said in Salisbury yesterday.

Mr. Josiah Chinamano, deputy president of the ANC Zimbabwe, told a Press conference that Mr. Tamangani disappeared on April 1 when he was driving to Bulawayo with his wife, Anna, another woman and a girl aged 15.

The two women and the girl were found dead the next day, their bodies riddled with bullets.

Mr. Chinamano said last week that the Tamangani's car had earlier been stopped by men in uniform at a roadblock.

Mr. Tamangani was put into a landrover and the two women and the girl were driven away in their own car.

Yesterday Mr. Chinamano said the onus was on Combined Operations Headquarters to prove that they were killed by terrorists as was reported in an official communique.

Mr. and Mrs. Tamangani were secretary and chairwoman of the ANC central province and were on their way to a national executive meeting in Bulawayo. The ANC is Mr. Joshua Nkomo's organisation inside Rhodesia.

Mortuary

Mr. Chinamano said the Party now had information that Mr. Tamangani's body was taken to the Gatooma Hospital mortuary on Thursday last week.

The body was found at a river in the Zwimba tribal trust land and was clad in a black suit. The women and the girl had been killed not far from the spot.

Mr. Chinamano said the body was fresh, indicating it had been killed the same day it was brought to Gatooma.

Police who brought the body tried to persuade the staff not to enter the name in the mortuary register, he said.

Mr. Chinamano said it was only yesterday morning — nearly five days later —

that police went to the Tamangani home to tell the family the body had been found and was at Gatooma.

Meanwhile on Friday the Special branch went to the mortuary, pulled out the body and labelled it "Julius Tamangani terrorist leader" and took photographs.

Justification

He claimed these would be produced to show to visitors to Rhodesia.

Asked if there were any justification for suggesting that Julius Tamangani was connected with the military side of the nationalist struggle, Mr. Chinamano said: "no, never."

He thought "embarrassment and a guilty conscience" had led to the delay in telling the family Mr. Tamangani's body had been found.

Newsman faces 2 terror charges

West Rand Bureau

A former teacher, Mr Aitken Ramudzuli (24), and a Johannesburg journalist, Mr Enoch Duma (36), appeared in a special court at Krugersdorp yesterday on charges under the Terrorism and Sabotage Act.

They both pleaded not guilty before Mr Justice F S Steyn and two assessors, Mr H S Bosman and Professor M J Oosthuizen, of the Rand Afrikaans University.

Mr Ramudzuli is appearing on four charges and Mr Duma on two. The State alleges that Mr Ramudzuli joined the African National Congress (ANC), a banned organisation, and identified with it, especially with attempts to overthrow the Govern-

ment by violent means last year.

It further alleges that Mr Duma also identified himself with the activities and objectives of the ANC. The two men are charged with taking part in terrorist activities during April to September 1977 in or near Soweto, Johannesburg, Roodepoort, Pretoria, Suping Station, Zeerust, Mafeking and Ga-rankuwa and in Botswana.

Mr Duma is alleged to have used his car on occasions to illegally transport explosives to Diepkloof and Ga-Rankuwa. The hearing continues today.

Mr L. Dane, instructed by Shun Chetty and Company, appeared for Mr Ramudzuli. Mr G. Bizo, instructed by Bell, Dewar and Hall, appeared for Mr Duma.

Newsman faces 2 terror charges

West Rand Bureau

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Mr Duma is alleged to have used his car on occasions to illegally transport explosives to Diepkloof and Ga-Rankuwa. The hearing continues today.

Mr J. Dume, instructed by Shun Chetty and Company, appeared for Mr Ramudzuli. Mr G. Bizos, instructed by Holt, Dewar and Hall, appeared for Mr Duma.

1977	Course of Study : B.A.
Year of Study : 2	
Candidate	
Higginson, S.N.	76 EI(3);HI(2-);FIL(P);AFHI(2-*);AH&CA(2-*);EII(2-*);HII(2-*)
Hobbs, S.L. Miss	77 HI(CX);Phil.I(CX);Psi(CX);EI(CR);. . .;HII(ABS);Phil.IIS(ABS*);PsiIC(ABS*);SAI(ABS)
Hobson, B.S.	76 Soci(P);AE(3);Phil.I(3);GYI(3)II(3*);. . .;RelSci(3*);SociI(3*)
	*)EclI(3);PolSci(2*);PsiA(3*)
	(3);PsiI(3)III(3*);HII(F*);AFLInt(ABS*)
	(2-);EI(2-)II(3*);ArchI(3*);SAI(3*)
	EI(30x);HappMus.I(F*)
	);FI(2-)II(3*);IcInt(2-);Iii(3*)
	(2-);ChofW.E.I(2-);EII(2-);PolSci(2*)
	1.I(3);MeI(3)IIA(2-);EII(3*)
	P);AFLII(MS*);ArchI(F*);EII(F*)
	II(2-);Psi(2-);EIII(3*);PsiIC(2-*)
	SAI(3);PolSci(3*);SAI(F*)
Jacques, M.A. Miss	76 Soci(3);Psi(2-);EI(2-);Phil.I(2-);EII(2-);Hart.I(G*);PsiIA(2-*)
Jeffery, E. Miss	76 GARLP(3);GInt(2-);FI(3);ChofW.E.I(P)II(2-);FII(3*);GI(2-*)
Jones, J. Mrs.	76 HI(CX)II(CX);EI(CR)II(CR);AH&CA(F*);ChofW.E.I(2-);HII(3*)

Six sentenced men sing

• FROM PAGE ONE

Simon Mohlanyaneng — 10 years, Martin Ramokgadi — 7 years and Jacob Seathlolo — 12 years.

As they were driven out of the Supreme Court building in Pretoria, crowds of waiting blacks sang: "We don't mind if they make us prisoners. We must unite to get our freedom."

Before delivering sentence, Mr Justice Myburgh referred to both a Supreme Court judgment and a pronouncement by a jurist quoted by the defence in its argument on sentence.

The judgment recalled the judicial tradition of "cool heads with the necessary humanity" in dealing with politically motivated crimes. The pronouncement advised prudence and cautioned against harshness in political offences.

Mr Justice Myburgh said: "The suggestion of prudence and the warning against excessive severity. I heartily support."

Describing both Sexwale and Tsiki as men dedicated to the ANC cause rather than to personal gain, Mr Justice Myburgh went on to quote from statements made from the dock by Sexwale and Tsiki.

The portion quoted from Sexwale's statement read: "When I joined the ANC I realised that the struggle for freedom would be

difficult and would involve sacrifices. I was and am willing to make those sacrifices."

A section quoted from Tsiki's statement read: "I wish to make it clear to the court that what I did, I did with my eyes open. By so doing, I was merely trying to make my contribution towards a free and democratic South Africa . . ."

Mr Justice Myburgh later referred to a statement from the dock by the oldest of six men, Ramokgadi, a 68-year-old former Robben Island prisoner.

Ramokgadi who was responsible for ANC finances and who had associations with members of a "terrorist den" in Alexandra township, had given the "greatest problem in determining what should be

an appropriate sentence," Mr Justice Myburgh said.

Mr Denis Kuny, counsel for Ramokgadi, had earlier pleaded with Mr Myburgh not to sentence Ramokgadi to prison for the rest of his life.

Mr Kuny recalled that Ramokgadi had even won the admiration of people who gave evidence against him for the State.



Naledi Tsiki — 14 years' jail.

Mosima Sexwale — 18 years' jail.

ANC 8/4/79
men
sing way
Sun. Times

(33)

15. Aantal afhanklikes (gesinslede
wie werker moe sorg)

to prison

anders vir

- (a) Name (eerste name
alleenlik)
- (b) Verwantskap aan werker
- (c) Ouderdom
- (d) Geslag
- (e) Woonplek
- (f) Skooljare voltooi
- (g) Nou op skool?
- (h) Skool (naam, soort,
distrik en afstand
van plaas)
- (i) Werk wat vir boer
gedoen word (b.v.
gedurende skool
vakansies)
- (j) Jaarlikse tydperk
gewerk (dae of weke)
- (k) Jaarlikse betaling:
kontant.

ander

By PATRICK LAURENCE
SIX conspirators of the
banned African National
Congress sang as they left
the dock yesterday after
being sentenced to be-
tween seven and 18 years
jail for plotting violent
revolution.
The State had asked for
the death penalty, but the
judge, Mr Justice My-
burgh, said: "If I were to
have acceded to the State
request and imposed the
death penalty, I would
have committed an error
of judgment."
Before leaving the dock
the six men — found guil-
ty under the Terrorism
Act — turned to the
crowded gallery and gave
the clenched fist Black
Power salute. Cries of
"Amandla" rang out from
their friends and relatives.
The sentences were: Mo-
sima Sexwale — 18 years,
Naledi Tsiki — 14 years,
Lele. Motaung — 12 years.

4

5

6

HEAVY PRISON SENTENCES ⁽³³¹⁾ FOR TERROR 6

PRETORIA — The six men convicted in the Pretoria Supreme Court of acts of terrorism have received heavy jail sentences but not the death sentence requested by the State.

Mosima Sexwale (25) was sentenced to 18 years' imprisonment, Naledi Tsiki (22) to 14 years, Lele Motoung (45) to 12 years, Simon Mohlanyaneng (24) to 10 years, Martin Ramokgadi (68) to seven years and Jacob Seathlolo to 12 years.

Passing sentence Mr. Justice A. P. Myburgh said the men had been guilty of very serious offences. Although justice must be done, mercy, not a sledge hammer, was its concomitant.

He said Sexwale, who had thrown a grenade into the cabin of a police Land-Rover after being arrested, had not intended to kill them. Mr. Justice Myburgh said Sexwale could have easily done so when the seriously injured men were at his mercy.

Training

Tsiki, who sabotaged a railway line near Pietersburg, had, like Sexwale, received military training in Russia. The explosion had not, however, caused any derailment or injury. Mr. Justice Myburgh said Tsiki had not wanted to kill anybody but rather wanted to draw attention to the struggle of ideals in which he was involved.

Mr. Justice Myburgh said Motoung, who also received training in Russia, stayed at the "terrorist den" in Alexandra but, unlike Sexwale or Tsiki, did not appear to have trained others to use weapons but rather

seemed to have been the person in control of the weapons and explosives. His motivation seemed to be obscure though.

Mohlanyaneng acted for the same motives as Sexwale and Tsiki — who had tried to bring about change by violent means feeling there was no other way.

When arrested in Nebo he had been found in possession of Russian guns and explosives.

Involved

Ramokgadi was sentenced in 1964 to 10 years' imprisonment for a similar offence and was released in 1974, said Mr. Justice Myburgh. During 1976 he had become in-

involved in terrorist activities and seemed to have been involved in receiving ANC funds from Swaziland.

Seathlolo, Mr. Justice Myburgh said, had several previous convictions for theft, housebreaking, assaults involving a gun and offences under the Liquor Act.

He was a shebeen owner who gave accommodation to terrorists and had been found in possession of machine-guns, a pistol, grenades, detonators, sticks of explosives and explosive chemicals.

As Mr. Justice Myburgh left the courtroom the six men cried with raised fists "Amandla," which was echoed by many Blacks who packed the gallery. — (Sapa.)

8/4/78 (331)

Six escape gallows in Pretoria terror trial

PRETORIA — The six men convicted in the Supreme Court here of acts of terrorism have received heavy prison sentences. The State had asked for the death sentence.

Mr Mosima Sexwale, 25, was sentenced to 18 years imprisonment, Mr Naledi Tsiki, 22, to 14 years, Mr Lele Motoung, 45, to 12 years, Mr Simon Mohlanyaneng, 24, to 10 years, Mr Martin Ramokgadi, 68, to seven years, and Mr Jacob Seathlolo to 12 years.

In passing sentence, Mr Justice Myburgh said the men had been guilty of serious offences. Although justice must be done mercy, not a sledgehammer, was its concomitant.

He said Mr Sexwale, who had thrown a handgrenade into the

cabin of a police vehicle after he was arrested, injuring two policemen, had not intended to kill them. Mr Justice Myburgh said he could have easily done so when the seriously injured men were at his mercy.

Mr Tsiki, who sabotaged a railway line near Pieter-sburg, had, like Mr Sexwale, received military training in Russia. The explosion did not, however, cause any derailment or injury. Mr Justice Myburgh said Mr Tsiki did not want to kill anybody, but rather wanted to draw attention to the struggle of ideals in which he was involved.

Mr Justice Myburgh said Mr Motoung, who also received training in Russia, stayed at the "terrorist den" in Alexandria, but unlike Mr Sexwale or Mr Tsiki, did not

appear to have trained others to use weapons, but rather seemed to have been the person in control of the weapons and explosives. His motivation seemed to be obscure.

Mr Mohlanyaneng acted for the same motives as Mr Sexwale and Mr Tsiki, who tried to bring about change by violent means, feeling there was no other way.

When arrested in Nebo, he was found in possession of Russian firearms and explosives.

Mr Ramokgadi was sentenced in 1964 to ten years' imprisonment for a similar offence and was released in 1974, said Mr Justice Myburgh. During 1976 he became involved in terrorist activities and seemed to have been involved in receiving ANC

funds from Swaziland.

Mr Seathlolo, Mr Justice Myburgh said, had several previous convictions for theft, housebreaking, assaults involving a firearm and offences under the Liquor Act.

He was a shebeen owner who gave accommodation to the terrorists and had been found in possession of machineguns, a pistol, handgrenades, detonators, sticks of explosives and explosive chemicals.

The marathon trial ended — the men have been in detention since 1976 — with the words by Mr Justice Myburgh: "This trial is now over."

As he left the courtroom the six men cried with raised fists "amandla," which was echoed by many blacks who packed the gallery. — SAPA.

PAC trial told of lice in cell

BETHAL. — A detainee told the terrorism trial in Bethal yesterday she got a backache from sitting on a tin two nights in a row because she could not use the blankets which were full of lice.

The detainee, "Miss B", who cannot be named, is a State witness testifying before Mr Justice Curlewis in the trial of 18 alleged members of the Pan-Africanist Congress.

Between 1963 and 1977 the 18 allegedly conspired to overthrow the Government, recruited people for military training or furthered the aims of the PAC.

Miss B. said while she was being detained at Ixopo in Natal during 1977, she could not sleep on her blankets because they were lice-ridden. She used to sit on her washing tin and this

gave her a backache.

The first night a policeman peeped through the door to see her crying but did nothing about the lice.

After the second night she complained to a Lieutenant Botha, who got her clean blankets.

Another time a hailstorm flooded her cell. She hammered on the door with a stick until the prison chief brought her a bed.

HIDING

Back at Maritzburg the security policeman said to her "listen black girl, you see us now. We have done our work and you are still hiding a lot."

Dr W. Cooper, SC, yesterday told the court he was withdrawing from the defence team. He had spoken to the accused about his withdrawal. "I don't think it is proper to tell your worship what transpired."

The trial was postponed Monday. Sapa

Friday, April 7, 1978.

Call for death penalty

once voted out against

"I do not honestly say
that I believe the decision
I made was wrong. What
I do say is that I was in a
very difficult and in some
ways, I think, a very
difficult position," he said.

He spoke of the
"brutal violence" of the
AFC as the only way out
of a political impasse.

"It would be unacceptable
to me to go out and
shoot children and the
women of the country," he
said.

He said he had
been in a position to
do so, but he had
chosen not to.

He said he had
been in a position to
do so, but he had
chosen not to.

He said he had
been in a position to
do so, but he had
chosen not to.

He said he had
been in a position to
do so, but he had
chosen not to.

He said he had
been in a position to
do so, but he had
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been in a position to
do so, but he had
chosen not to.

He said he had
been in a position to
do so, but he had
chosen not to.

He said he had
been in a position to
do so, but he had
chosen not to.

He said he had
been in a position to
do so, but he had
chosen not to.

He said he had
been in a position to
do so, but he had
chosen not to.

State calls for death

Staff Reporters

THE State yesterday asked
for the death penalty for
all six men found guilty
in the Pretoria African
National Congress trial on
charges under the Ter-
rorism Act.

The application was
strongly opposed by Mr
Arthur Chaskalson, SC, for
the defence.

He appealed to Mr Jus-
tice Myburgh to avoid the
"dubious distinction" of
becoming the first judge
to impose the death pen-
alty in a Terror Act trial
in which murder was not
an issue.

Mr Justice Myburgh ad-
journed the hearing today
for sentence.

In a day of high tension,
three of the convicted men
made statements from the
dock and Bishop Desmond
Tutu, general secretary of
the South African Council
of Churches, gave evidence
in mitigation.

The six were found guilty
on Wednesday of conspir-
ing as members of the
banned ANC to overthrow
the government by violence.

They are Mosima Sex-
wale Naledi Tsiki, Lele Mo-
ung, Simon Mohlanya-
ng, Martin Ramokgadi
and Jacob Seathlolo.

Six others accused were
quitted.

Sexwale was found guilty
of throwing a grenade
to a police Land-Rover
after he had been arrest-
ed. Tsiki was found guilty
of sabotaging the railway
near Pietersburg.

Motaung, Mohlanya-
ng, Ramokgadi and Seathlolo
were found guilty of ad-
vancing the cause of the
VC through recruiting
and possessing arms and
explosives.

Sexwale, 25, told the
court of his impoverished
childhood in Soweto and
how it led him to become
a member of the banned
ANC to "counter the viol-

TO PAGE 2

Vreelys

Court is told of lice in cell bed

Staff Reporter

BETHAL — A detainee told the terrorism trial in Bethal today she got a backache from sitting on a tin two nights in a row because her blankets were full of lice.

The detainee, Miss B, is a State witness testifying before Mr Justice Curlewis in the trial of 18 alleged members of the Pan Africanist Congress.

Between 1963 and 1977 the accused allegedly conspired to overthrow the Government and recruited for military training, alternatively furthered the aims of the PAC.

Miss B, who cannot be named, said that while being detained at Ixopo in Natal in 1977, she could not sleep on her blankets because they were lice ridden. She used to sit on her washing tin and this gave her a backache.

The first night a policeman peeped through the door to see her crying but did nothing about the lice.

After the second night she complained to a Lieutenant Botha, who got her clean blankets.

HAILSTORM

Another time a hailstorm flooded her cell. She hammered on the door with a stick until the prison chief brought her a bed.

Defence counsel Mr D L Skweyiya asked her about a statement he had obtained from Mr Theopolus Njala who said a co-conspirator, Miss Deborah Matshoba, had complained to Miss B about torture.

Miss B said Deborah did not complain to her.

The last time she heard Deborah was when Deborah screamed for help one night during an asthma attack. The next day Deborah was removed from that cell.

Wat doen u gewoonlik c

Besprek u die probleme
ander plase?

Het u al ooit gefink da
span om iets te veran

an toevallige en kontraktarbe

At the beginning of today's sitting, Dr W Cooper SC told the court he was withdrawing from the defences team.

Mr Justice Curlewis said he was sorry Dr Cooper was leaving and was grateful for his assistance.

The trial was postponed to Monday.

Deputy Attorney-General Mr P G Haasbroek, is prosecuting. Defence Counsel are Mr A Wilson SC, Mr H Pitman and Mr Skweyiya, all instructed by Mr G Mxenga.

die plaas of op

kers saam te

nie?

IN COURT

Terrorists *Star* 2/4/78 jailed for 73 years 331

Pretoria Bureau

The six terrorists convicted at the Pretoria ANC terror trial earlier this week were jailed for a total of 73 years by Mr Justice Myburgh in the Supreme Court today.

Mosima Sexwale (25) was jailed for 18 years, Aledi Tsiki (22) for 14 years, Lele Motaung (45) for 12 years, Simon Mohlanyaneng (24), for 10 years, Martin Ramokgadi (68) for seven years and Jacob Seatlholo, no age given, for 12 years.

They were found guilty earlier this week of conspiring to overthrow the Government by violent means.

Judge Myburgh said the punishment the court imposed should fit the criminal as well as the crime.

The element of mercy was the hallmark of a civilised society and he had been urged by Mr A Chaskalson SC for the accused to understand their motivation.

The judge said that if he had not taken this into consideration the sentences imposed would have been very different.

Before passing sentence, the judge said Sexwale was an educated person who had become dedicated to the ANC cause.

He had received military training in Russia and, on his return to South Africa with three other terrorists in November 1976, had been picked up by the police near Border Gate in the Barberton district.

While on the back of an open police Land Rover, he had thrown a hand grenade which seriously injured two policemen and burned out the vehicle.

After they had been injured they were at his mercy but he did not take the opportunity of killing them.

Tsiki had also received training in Russia. He had entered South Africa armed and had sabotaged a railway line near Pietersburg in October 1976.

Motaung seemed, from evidence, to have been in control of weapons and arms, the judge said.

Mohlanyaneng had trained people in the use of firearms and, when arrested, had been in possession of a Scorpion machinegun, a Tokarev pistol and handgrenades.

Ramokgadi had been in control of funds and had arranged transport.

Seatlholo had arranged their accommodation in Alexandra.

Courier tells of 331 64128 184-1271 new PAC cells

(b) melk: hoer

Staff Reporter

BETHAL — A Pan Africanist Congress courier yesterday told the Bethal Terrorism Act trial that while in Botswana she was taught "freedom," told to set up cells in South Africa and shown an illegal route out of South Africa.

(c) Onder kos

(d) Weinlek t

Aantal va

The courier, Miss B, was giving evidence before Mr Justice D J Curlewis in the trial of 18 alleged members of the PAC.

Between 1963 and 1977 they allegedly conspired to overthrow the Government, recruited for military training, or alternatively furthered the PAC.

Waarde aa

(e) Grond

Oppervlak

Miss B said that in December 1975 she toured the country with Mr Isaac "Saki" Mafatshe with her child, to act as "cover" for him. The State alleges ex-Robben Island prisoner Mr Mafatshe used this trip

to pass PAC messages.

In January 1976, "Saki" told her by telegram to join him in Botswana. There a man called Gregory told her to open (PAC) cells in South Africa.

"Saki" said that in Tanzania they had appointed him a PAC political commissar and that she must get somebody to tell "the old man" to leave South Africa.

She got a lift back to South Africa with Mr Nat Serache (at the time a Rand Daily Mail reporter).

In February "Saki" sent R150 by telegram which she gave to an accused, Mr Benni Ntoele (38), of Pretoria.

"Saki" sent for her again in March and gave her R2 000 and messages for another accused Mr Mark Shinnars (37), of Atteridgeville, Pretoria.

The court adjourned until tomorrow.

Waarde aan boer:

Water (jaarlikse koste aan boer)

Koste van ander dienste b.v. saad, gebruik van plaasmasjinerie

(f) Klere: artikels verskaf deur boer (jaarliks)

Koste aan boer:

(g) Bonus (jaarliks)

(h) Geskenke (jaarliks: artikels

Koste aan boer:

(i) Ontspanningsgeriewe verskaf:

Koste aan boer (jaarliks):

(j) Gesondheidsdienste:

Jaarlikse koste aan boer van: doktersrekeninge betaal

medisyne

vervoer na en van geriewe

ander

(j) Totale mediese koste

(k) Pensioenbydrae deur boer (jaarliks)

(l) Versekeringsbydrae deur boer (jaarliks)

Hang ANC terrorists —call by State

16. In
(s

(a) Bro

(b) To

17. A

(a) Opp

(b) Deel wat gewoonlik beplant

(c) Vee (as werker vee besit):

(d) Beraamde deel van jaar waa
lewe van die oes wat deu

(e) Beraamde jaarlikse bedrag

Pretoria Bureau

The State has asked that the death sentence be imposed on all six of the accused found guilty at the Pretoria African National Congress terror trial yesterday.

Mosima Sexwale, Naledi Tsiki, Lele Motaung, Simon Mohlanyaneng, Martin Ramokgadi and Jacob Seatholo, were yesterday found guilty in the Supreme Court by Mr Justice Myburgh of conspiring to overthrow the Government by violent means.

Six others were found not guilty and discharged.

If the court did not impose the death sentence on all the accused, it should impose it on Sexwale and Tsiki, the State said.

Sexwale was found guilty of throwing the hand grenade which seriously injured two policemen and damaged a police vehicle near Border Gate, Barberton, in November 1976.

Tsiki sabotaged a railway line near Pietersburg in October 1976, the judge found yesterday.

Mr N. Gey van Pittius for the State said an argument by Sexwale that arms had been brought into the country to use for defence against attack had been shown to be false.

ESCAPE

It was clear from evidence there had been no threatened attack when Sexwale was arrested by police near Border Gate with arms in his possession.

Mr van Pittius said the hand grenade had been thrown to effect an escape.

If the maximum sentence was not imposed, heavy prison sentences should be imposed, Mr van Pittius said.

Sexwale, Tsiki, Motaung and Mohlanyaneng are all first offenders. Ramokgadi has a previous conviction for a similar offence and Seatholo has previous convictions for assault.

Sentence will be passed at 10 am tomorrow.

as wat dieselfde

er sulke grond

sin sou kon

maande

werker:

4 terror accused guilty ⁽³³¹⁾

Pretoria Bureau

Four of the 12 accused in the Pretoria terror trial have been found guilty of conspiring to overthrow the South African Government by violent means.

They are Mosima Sexwale, Maledi Tsiki, Lele Motaung and Simon Mohlanyaneng. A fifth accused, Mr Elias Masinga, has been acquitted.

They all pleaded not guilty before Mr Justice Myburgh to conspiring to overthrow the Government and to other charges under the Internal Security and Terrorism Acts.

Mr Justice Myburgh found today Sexwale actually threw the Russian handgrenade which seriously injured two policemen and damaged a police vehicle near Border Gate south of Komati-poort on November 30 1976.

He found the incident had happened after Sexwale and three others illegally entered South Africa and brought arms and ammunition with them.

They had been apprehended by the police and loaded on to an open-backed police Land Rover. While the vehicle was travelling Sexwale crept forward and threw the handgrenade into the cab.

TRAINING

Among the other acts which the judge found the State had proved against Sexwale, were that he had received military training in Russia and that he had incited others in South Africa to undergo military training.

The judge said the State had proved that Tsiki sabotaged a railway line near Dikgal railway station in the Pietersburg district in October 1976.

Among other things the State had proved is that Tsiki had instructed another in the use of fire arms and had harboured a terrorist.

(Proceeding)

Terrorism defendant tells of suicide attempt

Mercury Reporter

PIETERMARITZBURG — The defendant in the terrorism trial here was so depressed after being tortured by Security Police that he tried to commit suicide by thrusting a ball-point pen into his throat, the Supreme Court was told yesterday.

A White policeman also told him that unless he told the truth he would die in jail like Steve Biko, Mr. Vusumuzi Lucas Mbatha said in an affidavit handed in.

Mr. Mbatha (23), a high school teacher from the Nqutu district, is facing two charges under the Terrorism Act and two under the Internal Security Act.

In his affidavit yesterday supporting an application for a two-month adjournment, Mr. Mbatha said he was arrested at his home in the Nqutu district on December 14, 1977.

He said during the whole period of his interrogation, from about January 3 this year to January 24, he was subjected to "torture, assaults and threats of physical harm and even death."

"In particular, on January 6, 1978, between 1 p.m. and 3 p.m. while I was being interrogated in a garage at Hloboane

331
police station I was tortured and assaulted by my interrogators."

Mr. Mbatha said the threat that he would die in jail like Steve Biko instilled in him a "mortal fear" of the Security Police, and led to his suicide attempt.

He said the suicide attempt failed because "the pen was blunt and could not penetrate my skin."

Mr. Mbatha said after he was moved to Pietermaritzburg he was subjected to further torture and he intended instituting a civil action against his torturers.

In a replying affidavit handed in to Mr. Justice Thirion, the investigating officer, Detective Warrant Officer J. D. Potgieter, said that at no time was there any physical violence or mental pressure or threats uttered against Mr. Mbatha.

He said that at no stage did Mr. Mbatha complain of any assaults, torture or sickness, and he was friendly at all times. He said he had no knowledge of the suicide attempt.

Mr. Justice Thirion yesterday refused an application by Mr. M. Moerane, acting for Mr. Mbatha, to have the names

and addresses of the witnesses the State intended to call given to him.

Mr. Moerane then applied for a two-month adjournment he said was necessary to prepare his case.

He said the assaults on Mr. Mbatha by Security Police had affected his mind, and he was in constant fear of the police.

Until very recently he was not able to communicate freely with his legal representatives and this had hampered preparation of the defence.

Opposing the application for a lengthy adjournment Mr. Peter Rowan, for the State, said the case against Mr. Mbatha was relatively simple and he could not see the need for a two-month adjournment. There was no reason why the trial could not begin later this week.

Mr. Rowan said that eight of the witnesses the State intended calling were being held in custody in terms of a clause in the Internal Security Act, in their own interests.

Mr. Justice Thirion upheld Mr. Rowan's submission that two months was too long.

He adjourned the hearing to April 27.

Denial of story by journalist 'on run'

ADM 24/11/78

AMUW

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Staff Reporter

POLICE have denied a claim by a former South African journalist who is seeking political asylum in the United States that he was "terrorised into fleeing the country."

The journalist, Mr Dumaani Shadrack Kumalo, 32, was reported from New York as having told newsmen that about 30 white policemen banged on the windows and doors of his house in Evaton and threw stones at the roof.

"They were vicious," he said. "We had four hours of terror on our hands."

A senior police spokesman in the Vereeniging area denied all knowledge of the incident.

However, the spokesman said: "On May 8, 1977, a certain person accompanied a Security Branch man to Mr Kumalo's home and pointed him out as the person to whom he had handed a plastic bag containing certain books."

The books included one entitled 'The thoughts of Karl Marx', and were generally subversive literature.

"Mr Kumalo handed

over the books and later came voluntarily to the police station to make a statement. He was contacted again on several occasions after that but at no time was he detained or molested by the police."

The books would be produced as evidence at a terror trial, the police spokesman added.

He said Mr Kumalo was not involved in the trial.

The head of Security Police, Brigadier C F Zietsman, said: "There are not 30 white policemen in the entire area."

Mr Kumalo said in New York he was the target of terrorists in his "homeland" and was forced to flee with his wife and five-year-old daughter. Two of his daughters were left behind.

He said he was a founder of the banned Union of Black Journalists but had been deprived of a "licence" to practice journalism for the past 14 years "because of his Bantu origins".

He had earned a living, he said, by covering assignments with a letter from

his boss and using his wits to outfox his harassers.

Sapa reported that Mr Kumalo was in full-time employment with the defunct Golden City Post from 1968 to 1971, spent a short time with Drum in 1971, worked for The World newspaper — banned last year — from 1971 to 1973 and the Sunday Times from 1973 to 1975. He joined a petrol company in 1976.

Former colleagues of Mr Kumalo expressed surprise that he had fled the country and said he had never mentioned being harassed by police.

The former editor of the World, now editor of Post, Mr Percy Qoboza, said: "Mr Kumalo was a hard-working journalist when he was with us. I do not know why or when he left the country."

The former president of the Southern Transvaal region of the Union of Black Journalists, Mr Aggrey Klaaste, said he had no knowledge of Mr Kumalo having been harassed.

"The whole thing is not true," he said.

Harwood 11 21 April 1978
Question 7 Cols. 674 & 675.

X Terrorism Act trial in Bethal X

*7. Mrs. H. SUZMAN asked the Minister of Justice:

Whether (a) any of the accused in the Terrorism Act trial at present being held in Bethal were resident or (b) any of the alleged offences were committed in that area; if not, why is the trial being conducted there.

The MINISTER OF JUSTICE:

(a) No.

(b) No.

Due to the expected duration of the case, the number of accused and witnesses.

Hayson's bail appeal dismissed

FORMER Nusas president Nicholas Hayson's urgent appeal for bail was dismissed by Mr Justice de Kock in the Supreme Court, Cape Town, today.

Earlier this week Hayson was sentenced by a Cape Town magistrate to 12 months' imprisonment for refusing to answer four questions concerning Mr Peter Manning, an alleged member of Swapo.

At the time of the hearing, Mr Manning was due to stand trial on April 25 to face charges under the Official Secrets Act.

INFORMATION

Hayson was thought to have material information about these charges.

Yesterday, in Windhoek, charges against Mr Manning were dropped.

Dismissing Mr Hayson's application for bail pending his appeal against his prison sentence, Mr Justice de Kock, said in terms of the relevant section of the Criminal Procedures Act, a person who refused to be sworn or to answer questions after being subpoenaed to do so could be sentenced to a maximum of two years' imprisonment and, in certain circumstances, to five years.

The judge said he could find no fault with the magistrate's reasons for refusing to grant Hayson bail.

"I am unable to agree that the magistrate refused bail for improper reasons or that he exercised his discretion improperly. I am unable to read into his reasons that



Nicholas Hayson

the magistrate refused bail solely because Hayson refused to be sworn or to answer questions," the judge said.

The magistrate had refused bail to Hayson because the granting of bail would have defeated the ends of justice, the judge said.

ONUS

The onus rested on Hayson to prove that the granting of bail would not prejudice the interests of justice. However, there was no evidence given to the magistrate by Hayson to discharge this onus.

There were, in the magistrate's opinion, reasons why bail should not be granted.

Mr E. L. King, SC, instructed by Buchanans, appeared for Hayson. The Deputy Attorney General of the Cape, Mr D. Rothwell, SC, assisted by Mr S. Bresler, appeared for the State.

21478 (331) M

Terror trial told of shots in dark

KRUGERSDORP — A man shot two security policemen when they tried to enter his outhouse in September last year, a terrorism trial heard here yesterday.

Lt I. M. van Niekerk of John Vorster Security Branch, was giving evidence before Mr Justice Steyn and assessors in the trial of a former teacher, Mr Aitken Ramudzulu, 24, and a Johannesburg journalist, Mr Enoch Duma, 36, both of Dobsonville, who have pleaded not guilty to charges under the Terrorism and Sabotage Acts.

Lt Van Niekerk said at 5.20 a.m. on September 26, Maj Burger tried to force the door of an outside room on the property of Dobsonville 2660.

Someone opened the door from inside and fired two shots. Maj Burger spun round and fell down, wounded in his right hip and arm. More shots were fired and Lt Van Niekerk ran for cover with two constables, one of whom was hit in the arm.

When the occupant fired later, the other policemen returned the shots. At dawn it was found a man in the outhouse had been shot between his eyes. His reference book said he was Mr Nkunko Molokwane. He had a Makharov pistol in his hand and an empty pistol behind him.

Police found four handgrenades made out of coffee tins, communist leaflets and R250.

The court adjourned. — SAPA.

NM 21/4/28
(331)
*Court told of
shooting and
Red leaflets*

KURGERSDORP — A man shot two Security policemen when they tried to enter his Dobsonville outhouse in September last year, the terrorism trial heard here yesterday.

Lieut. I. M. van Niekerk of John Vorster security branch was giving evidence before Mr. Justice F. S. Steyn and assessors in the trial of a former teacher, Mr. Aitken Ramudzulu (24) and a Johannesburg journalist, Mr. Enoch Duma (36) both of Dobsonville, who have pleaded not guilty to charges under the Terrorism and Sabotage Acts.

Lieut. van Niekerk said that at 5.20 a.m. on September 26 Major Burger tried to force the door of an outside room on the property of Dobsonville 2660.

Someone opened the door from inside and fired two shots. Major Burger spun round and fell down, wounded in his right hip and arm. More shots were fired and Lieut. van Niekerk ran for cover with two constables, one of whom was hit in the arm.

Major Burger called for help. Lieut. van Niekerk fired five shots at the outhouse

but he could not see the occupant as it was dark.

Lieut. van Niekerk threw a tree trunk at the door, which crashed open. The occupant fired and Lieut. van Niekerk and the other policemen returned the shots.

As it got lighter he saw a Black man lying under a bed in the outhouse.

The dead man had been shot between his eyes. His reference book said he was Mr. Nkunko Nicholas Molokwane. He had a Makharov pistol in his hand and an empty pistol behind him.

Police found four hand grenades made out of coffee tins, communist leaflets and R250.

Later, in Dobsonville 2663, they found 3200g of Russian TNT, 1200g of plastic explosives, detonators and timing devices.

The hearing was adjourned to Monday. — (Sapa.)

Magistrate grants Haysom bail after appeal fails

Cape Times
22/4/78
231

Court Reporter
NICHOLAS "FINK"
HAYSOM, a former Nusas president, was released on R50 bail on his birthday yesterday, four days after he was sent to prison for 12 months for refusing to answer questions put to him by a Cape Town magistrate.

Mr L P Smit, the magistrate who sentenced Haysom and refused to grant him bail pending an appeal against the prison sentence, granted the bail hours after an appeal against the bail refusal was dismissed in the Supreme Court.

Giving judgment in the Supreme Court Mr Justice De Kock said the magistrate had refused bail because granting it would have defeated the ends of justice.

Haysom had refused to answer four questions concerning Mr Peter Manning, an alleged member of Swapo who was to have stood trial on April 25. Haysom was thought to have material information about these charges.

Mr Justice De Kock said in terms of the Criminal Procedure Act a subpoenaed person who refused to answer

questions or to be sworn in could be sentenced to two years' imprisonment.

He could not read into the magistrate's reasons for refusing bail solely because



Mr Haysom

Haysom had refused to be sworn in or answer questions. There was no evidence before the magistrate that granting bail to Haysom would not defeat the ends of justice.

Yesterday afternoon a new application for bail succeeded before the magistrate, Mr Smit, who was told that Mr Manning would no longer stand trial and that arrangements had been made for him to leave the country on an exit permit.

Mr E L King, SC, told the magistrate that the Attorney-General of SWA had assured him the charges against Mr Manning had been withdrawn. These were new facts which

justified a fresh application for bail.

Normally bail would be granted pending an appeal against the prison sentence imposed on Mr Haysom, he said.

After Haysom had taken the oath and testified that he was a final year LLB student with tutorial duties at the University of Cape Town and that he was involved in a campaign to discourage young people from leaving South Africa, the magistrate said:

"It is in the interests of justice to grant bail at this stage. I am satisfied that Mr Haysom will, if his appeal fails, surrender himself to undergo whatever period of imprisonment is decided upon."

A condition of bail was that Haysom surrender his passport to the authorities by Monday.

Haysom turned 26 yesterday and was released from Pollsmoor Prison later in the afternoon.

Mr King was assisted by Mr I G Farlam.

Bail for Haysom

W/E ARGUS

22/4/78

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MR Nicholas 'Fink' Haysom was granted R50 bail yesterday pending appeal against his 12-month sentence for refusing to testify against the Swapo official, Mr Peter Manning.

Mr Haysom, of Vine Street, Gardens, who turned 26 yesterday, was jailed for a year on Monday when he refused for the second time to answer questions concerning Mr Manning, a publicity officer who was facing charges in Windhoek under the Official Secrets and Terrorism Acts.

Mr Haysom is a former Nusas president and last year's president of the UCT Students Representative Council.

At two previous court hearings, Mr Haysom refused to testify against Mr Manning.

He had been asked whether he knew Mr Manning, whether he knew about a propaganda pamphlet, whether he and Mr Manning had discussed Swapo propaganda at a meeting on UCT campus and whether they had exchanged any publications.

On Monday, Mr Haysom was sentenced to 12 months and refused bail pending appeal, on the grounds that he had to be 'forced to speak' before Mr Manning's trial.

However, charges against Mr Manning were withdrawn on Wednesday.

'Death squad killed terror

SUN TIMES
23/4/78
witness' (331)

By LAWRENCE
MAYEKISO
and RAY JOSEPH

IS THERE a death squad to wipe out people who give evidence for the State in terrorism trials?

The family of one such witness who was gunned down in Soweto last weekend believe there is. The former Transvaal vice-president of the banned ANC, Mr. Abel Mthembu, was shot dead at his home in Dube Village after opening the door to a man claiming to be delivering money owed to him by a friend.

Mr. Mthembu, trained in guerrilla warfare in Russia and a former commander of the militant wing of the ANC, had appeared as a State witness in several trials involving members of the organisation.

His last testimony was in an ANC trial which ended three weeks ago.

He is the second terror trial State witness to die violently in less than a year. The first was a Natal security policeman, Sergeant Leonard Nkosi, who was shot at his home in Kwa-Mashu, near Durban, late last year.

Members of Mr. Mthembu's grieving family this week said they believed his death had been part of a plan to frighten blacks asked to give evidence in future terrorism trials.

Brigadier C. F. Zietsman, head of the security police, refused to comment on the existence of a death squad, but said: "Check what has happened over the past few months since the murder of Leonard Nkosi and make your own deci-

sions." Early this year Brigadier Johan Coetzee, deputy chief of the security police, commented on threats by revolutionary groups claiming that "traitors, informers and security policemen were targets for death squads".

He said precautions were being taken to protect witnesses in terrorism trials and others who assisted the police.

Sup. Times
23/4/78

'Death squad killed terror witness'

By LAWRENCE
MAYEKISO
and RAY JOSEPH

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Cape Times 24/4/78 ① 331
**'They are free to
talk' — Manning**

LONDON. — Peter Manning, the Swapo official who left Windhock on an exit permit on Friday, has told the people sentenced to jail for refusing to tell police about their conversations with him that they can now disclose all.

This applies to Nicholas Haysom, who was sentenced to 12 months for refusing to disclose details of his conversation with Mr Manning to the security police, and to Mr Manning's sister, Mrs Kathy Burt, who has a four-month sentence against her for a similar offence.

Both are on bail.

Mr Manning told reporters on his arrival at London's Heathrow Airport on Saturday morning; "They are free to talk. The only other person that could have been implicated is my fiancée, Anne Murray-Hudson, and she is here."

She was deported from SWA/Namibia on March 10 and had since been campaigning for Mr Manning's release.

Mr Manning was arrested on January 9 and held in prison until his release on Thursday. He was charged under the Official Secrets Act, alternatively under the Terrorism Act.

He said he had left SWA/Namibia "under protest" on an exit permit, which automatically removed his South African citizenship and declared him a prohibited immigrant in the Republic and SWA/Namibia.

He has been given three months to stay in Britain, but said he expected to have this extended. — Sapa

ARGUS 25/4/78

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Policeman tells of buried explosives

The Argus Correspondent

KRUGERSDORP. — A Johannesburg journalist showed him where explosives were buried, a police officer told a special court here.

He said so at the trial of a former teacher, Mr Aitken (Duke) Ramudzuli, 24, and Sunday Times journalist, Mr Enoch Duma, 36, both of Dobsonville, who have pleaded not guilty to charges under the Terrorism and Sabotage Acts.

Major Schalk Jan Visser, of the Security Police, Protea, said that after a shooting in which two police officers were wounded and a Mr Nicholas Molokwane was found shot dead under a bed still holding a Makharove pistol, he went to Mr Duma's house.

He told Mr Duma that he knew he had transported explosives.

SEARCHED AREA

He and other police officers went with Mr Duma to a place on the Potchefstroom road near Uncle Charlie's.

'We searched the area but didn't find anything,' said Major Visser.

But they searched the area again that night and found explosives under a tuft of grass.

The trial continues today.

Policeman tells of explosives in the veld

25/4/78 Story 33

West Rand Bureau

A Johannesburg journalist showed him a place between the Baragwanath Hospital and airport where explosives were dug up, a police officer told a special court at Krugersdorp yesterday.

He said this at the trial of a former teacher, Mr Aitken (Duke) Ramudzuli (24), and Sunday Times journalist Mr Enoch Duma (36), both of Dobsonville, who have pleaded not guilty to charges under the Terrorism and Sabotage Acts.

Major Schalk Jan Visser of the Security Police, Protea, said he had known Mr Duma as a senior reporter for the Sunday Times for about four years.

After a shooting in which two police officers were wounded and a Mr Nicholas Molokwane was found shot dead under a bed — still holding a Makharov pistol — at Dobsonville on September 26, he went to Mr Duma's house in the same township.

He told Mr Duma that he knew he had knowledge of, and had transported, explosives.

After first denying this, Mr Duma said the "Duke" had two parcels when he transported him on two occasions. Mr Duma did not say there were explosives in the package, said Major Visser, but by implication he believed that he knew they contained explosives.

Later police found explosives in the veld near Uncle Charlie's, at Diepkloof.

The trial continues today.

DA 27/4/78

Terrorist trial court cleared

(331)

JOHANNESBURG — A special court was cleared to avoid identification of a witness giving evidence in a terrorist trial here yesterday.

Before the witness was allowed to enter the court, the prosecutor, Mr. A. P. de Vries, asked that the evidence be held in camera to protect the witness whose life might be endangered if he was identified in any way.

Mr. Justice Steyn, ruled the witness' evidence be given in camera.

A former teacher, Mr. Aitken Ramudzuli, 24, and Sunday Times journalist, Mr. Enoch Duma, 36, both of Dobsonville, have pleaded not guilty to charges under the Terrorism and Sabotage Act.

The hearing continues.

SABA

Terror 2/17/28 Act trial in camera

A SPECIAL court was cleared in Krugersdorp yesterday to avoid identification of a witness in the trial of a former teacher, Mr. Aitken Ramudzuli, 24, and a Sunday Times journalist, Mr. Enoch Duma, 36, both of Dobsonville.

They have pleaded not guilty to charges under the Terrorism and Sabotage Acts.

Before the witness was allowed to enter the court, the prosecutor, Mr. A. P. de Vries, asked that the evidence be held in camera to protect the witness whose life might be endangered if he was identified.

Mr. Justice F. S. Steyn ruled that the witness's evidence be given in camera.

Security policemen ordered the public and the Press to leave the court while the trial continued.

The trial continues. — Sapa.

April 28, 1978

28/4/78 11:33

Court told of torture by stones

Mercury Reporter

PIETERMARITZBURG — A State witness in the terrorism trial here told the Supreme Court yesterday that security policemen put small stones in his shoes and then forced him to stand wearing them for more than four hours.

He said Mr. Mbatha showed him some books, including the communist manifesto and Sechaba, a banned publication. Mr. Mbatha also told the witness that he should form a group of two or three people for the organisation.

The witness said that after this he considered himself a member.

He told the Court that the aim of the organisation was to send its members for military training. They were then to return to South Africa, help overthrow the present Government, and replace it with a Black government.

The witness said he approached several people in an attempt to recruit members for the organisation but was unsuccessful.

In December last year four security policemen fetched him from his work and took him to his home, which they searched. He was later arrested.

The trial continues today.

The witness also told the Court that he was made to stand continuously from about 2 p.m. on January 3 this year to 9 a.m. on January 4.

The witness, whose identity may not be disclosed in terms of an order made by Mr. Justice Thirion yesterday, made the allegations while he was being cross-examined by Mr. M. Moerane, for the defence.

Mr. Justice Thirion also granted an application by Mr. Moerane that all security policemen, except Detective Warrant Officer J. D. Potgieter, the investigation officer, should leave the court during the cross-examination.

The witness was giving evidence in the trial of Mr. Vusumuzi Lucas Mbatha (23), a high school teacher from the Nqutu area who is facing two charges under the Terrorism Act and two under the Internal Security Act.

Mr. Mbatha yesterday pleaded not guilty to all four charges.

Marxist

The witness said that in February 1977 Mr. Mbatha approached him and said he was a member of an organisation called the "People's Organisation Front for the Liberation of South African Blacks."

Mr. Mbatha told him the organisation was a Marxist movement based in Johannesburg.

Sabotage: Jail sentences for 3

Cape Times 28/4/78 531

HERMANUS. — Three Guguletu students who set fire to a school in Nyanga East last year were yesterday sentenced to five years each for sabotage. They were acquitted on a charge of assault with intent to do grievous bodily harm.

Appearing before Mr J Vermeulen in the Regional Court here were Joseph Pantshwa, 24, Mziwonke Jack, 18, and Sipho Singiswa, 19. They pleaded not guilty to the two charges at the beginning of the nine-day trial.

The court found that the three attended student meetings where the burning of schools was discussed. At the last meeting on August 24, Singiswa knocked over a candle and said: "Let's stop talking and pull the job."

Jack and Singiswa got petrol from Jack's home and, with an accomplice who may not be named, set fire to Sizamile High School, Nyanga East.

They were then chased by school prefects posted as guards by the principal. One prefect, Vincent Diba, identified Jack, who is his cousin. Mr Diba was assaulted with a panga during the chase, but the court found that the State had not proved who had assaulted him.

Mr Vermeulen said he found Pantshwa, Jack and Singiswa to be unreliable, especially Singiswa, who replied "I cannot remember" to 24 questions put to him.

Mr Vermeulen said, however, that he would have suspended three years of the

five-year sentence for each man if it were in his power to do so. In terms of the Sabotage Act no portion of the minimum sentence of five years may be suspended.

Leave to appeal was noted and bail of R1 000 was granted each man on condition he reports to Guguletu police station daily and does not leave the area of Langa, Nyanga and Guguletu.

Earlier in the trial Mr R D McDougall for the defence said he wished to place on record that when he asked to interview a detained witness vital to his case, he was refused permission because the man would be appearing in a forthcoming trial. He approached the Attorney-General, who suggested he talbe questions for the police to present to the man.

"I considered this invitation but declined it. I don't want to hold a consultation through the police. I want a normal consultation. My information is that the man was an eye-witness to the arson and that his evidence may lead to an acquittal," Mr McDougall told the court.

"The Deputy Attorney-General, Mr D Rothwell, still declined to grant me a consultation."

Mr J P Vermaak prosecuted.

Reporter charges police after raid

ARGUS 28/4/78
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The Argus Correspondent
JOHANNESBURG. — A reporter from Beeld and the SA Press Association's representative at the PAC trial in Bethal, Miss Chrystelle Smuts, 23, has laid a charge with police in the town after five or six policemen raided her hotel room.

No reason for the police action was given.

Miss Smuts, who was staying in the Hotel Christo, said she was sleeping at about 11 pm on Wednesday when she heard a knock on the door.

She asked two or three times who was there before the police answered.

She put her clothes on over her pyjamas and opened the door.

IN UNIFORM

One man in a South African Police uniform and four or five other men in plainclothes asked if they could search the room.

Miss Smuts wanted to know why but was not answered.

She had the impression they were searching for someone. They looked under the beds, in the cupboards, behind the curtains and in the bathroom.

She again asked for the reason for the investigation. One man answered "We heard something."

When she asked what they had heard they ignored her and walked out without explanation or apology.

Captain J. Fourie of Bethel police said they were investigating, but did not want to comment because it was a departmental investigation.

Sabotage youths get bail

ARGUS
28/4/78
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From a Staff Reporter

HERMANUS. — Three Nyanga youths were found guilty of sabotage and sentenced to five years' jail, the minimum sentence, when they appeared in Hermanus Regional Court yesterday. They were granted leave to appeal against the sentences.

The youths, Joseph Pantshwa, 23, Nxiwonke Jack, 19, and Sipho Singiswa, 18, were granted bail of R1 000 each on condition they report daily to Guguletu police station and restrict their movements to the Nyanga, Langa, Guguletu area.

They were found guilty of participating in the act of setting alight and burning three classrooms of Sizamile High School, Nyanga, last August. The damage amounted to about R1 000.

A second charge of assault with intent to do grievous bodily harm was argued only against Jack. He was acquitted of this charge.

The magistrate, Mr J Vermeulen, said the court

accepted the evidence of two detained witnesses and found that the three accused had deliberately given false evidence or withheld evidence.

Mr R McDougall, for the defence, said the charge of sabotage should not have been made.

The Sabotage Act was wide enough to include even minor actions in its definition and it was at the discretion of the Attorney-General whether or not to invoke the charge of sabotage.

Mr McDougall submitted that in this case the charge should have been arson.

He requested the court to take the age of the youth into consideration.

Trial judge to see A-G on Star editorial

BETHAL. — Mr Justice Curlew, presiding in the PAC trial in Bethal, will consult the Attorney-General today about an editorial in The Star which he considers prima facie contempt of court.

The Star report — on April 11 — followed a ruling by Mr Justice Curlew that only reporters possessing a Press card issued by the Commissioner of Police be permitted to attend the trial.

In a statement signed yesterday Mr Justice Curlew said the report was "discourteous," and "tendentious."

"For example it states: 'The judge ordered, at a prosecution request, that members of the public and reporters without police Press cards could not enter the court.'"

The reference to the prosecutor was irrelevant. He concluded after consideration the proper and most effective method of control was one that required a reporter to have a Press card issued by the Commissioner of Police.

However, the editor should also have stated that Mr Wilson, who appeared for the accused, had no objection to the form of control postulated and said so," the statement said.

The report also said:

"It is about as relevant to court reporting as a dog licence ... it has nothing at all to do with the courts or the Department of Justice."

The editor knew security and not the particular reporter's ability was in issue, the statement said.

"The report goes on to say: 'We do not believe anybody would want the idea to gain currency that only journalists approved by the police may cover certain trials'."

"The implications of this last sentence, that something sinister is to be found in the control I decided upon, is thoroughly improper," the statement said.

"Now the editor of The Star is free to be discourteous if he wishes ..."

"But I will not tolerate any suggestion which affects the court as an institution". It appears to me prima facie this report constitutes contempt of court.

"I shall take up this matter with the Attorney-General tomorrow, and if he thinks the matter warrants it ... he will no doubt take further action."

When approached yesterday, Mr Harvey Tyson, editor of The Star, said he preferred not to comment. — Sapa.

Police ^{29/4/78 Kim} gave me alcohol — Witness

Mercury Reporter

PIETERMARITZBURG — Security policemen gave him cane spirits and beer and then questioned him about Inkatha and Chief Gatsha Buthelezi, a State witness in the terrorism trial here told the Supreme Court yesterday.

The witness was giving evidence in the trial of Vusumuzi Lucas Mbatha (23), a high school teacher from Nqutu, who is facing two charges under the Terrorism Act and two under the Internal Security Act.

Mr. Justice Thirion ordered on Thursday that the witness's identity should not be disclosed in the Press.

The same witness told the Court on Thursday that when he was being interrogated the Security Police put small stones in his shoes and made him stand wearing them for four or five hours.

Alcohol given

Under cross-examination yesterday by Mr. M. Moerane, for the defence, the witness said that in December last year security policemen gave him alcohol, which, he said, "did not affect me."

He said the policemen produced an Inkatha constitution and started questioning him about the movement and what he thought of Chief Buthelezi.

The witness said the Security policemen asked him whether the Inkatha movement would be successful or not in its purposes.

Under questioning by Mr. Moerane, he said his idea of what Inkatha aimed at was the liberation of the Zulu nation, so that it could achieve freedom and rule itself.

The witness said he told the policemen that he did not know if Inkatha would succeed in its aims.

Mr. Peter Rowan appeared for the State. The trial continues on Monday.

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2/14/48
COMMENT ON STAR CONTROVERSY

BEHAL — The following is the full text of a statement from the Bench, signed by Mr. Justice D. J. Curlew, who is presiding in the PAC trial in Bechal, regarding a report that appeared in The Star:

Before I adjourn there is a matter that I wish to refer to. I have seen the reports published in The Star of Tuesday evening dated the 11th April.

NO OBJECTION

This report is discursive, it is tendentious. For example it states: "The judge ordered, at a prosecution request, that members of the public and reporters without police Press cards could not enter the court."

to the form of control postulated and said so. It may be possible to suggest to the public that this court, myself, and the prosecutor are in some unholy alliance. It would be impossible, I imagine, to suggest that Mr. Wilson was part of that alliance. The report also said: "It is about as relevant to court reporting as a dog licence or a smallpox certificate. It has nothing at all to do with the courts or the Department of Justice."

NOT PRIVILEGED

The editor knows perfectly well that what was in issue was not the ability of the particular reporter to take down in shorthand the evidence and the proceedings. What was in issue was a question of security.

acceptable to the editor in question. Now I want to make it perfectly clear that whatever the editor thinks, reporters are in no privileged position. They are not more privileged in regard to Section 153 than any other member of the public. Nor does the editor of a newspaper have the right to tell me how to implement Section 153.

IMPROPER

The report goes on to say and I quote: "We do not believe that anybody would want the idea to gain currency that only journalists approved by the police may cover certain trials."

The implications of this last sentence, that something sinister is to be found in the control that I decided upon, is thoroughly improper.

CONTEMPT

Now the Editor, of course, of The Star is free to be discourteous if he wishes to do so. He is free to make a tendentious report if he wishes to do so. The one thing that I will not tolerate is any suggestion which affects the court as an institution. It appears to me prima facie, and I repeat prima facie, that this report constitutes contempt of

statutes contempt of court. To state as a fact that the method of control in regard to reporters is to be equated with the position as if I have said that reporters, and only those reporters who possessed smallpox certificates could attend, is prima facie, together with the other aspects, contempt of court. I shall take up this matter with the Attorney-General tomorrow, and if he thinks the matter warrants it, or justifies it, he will no doubt take further action." — Sapa.

* The point made by The Star in its editorial was simply that the Press pass signed by the editor and the Commissioner of Police serves only to accredit reporters handling the police beat — crime reporting and the like.

It is not a security clearance, and nothing in the NPU agreement with the Police suggests that this is its purpose. No inference was made or intended in reference to the Prosecutor. It is a fact that the order by Judge Curlew was made at the request of the Prosecutor, and there was no suggestion that the Prosecutor was acting mala fide in this matter.

There was no suggestion or inference in the editorial of "an alliance" between the Prosecutor and the Judge, as discovered in the Star was intended — Editor

29/4/78

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Controversial lawyer made

Port Elizabeth attorney Mr John David Jackson is an ambivalent figure in the Eastern Cape legal scene.

On the one hand he seems to have a considerable reputation with blacks and has probably defended more riot, sabotage, intimidation and public violence cases at the court in the Algoa Park police station than any other attorney.

He claims to have defended 85 percent of recent defended cases.

On the other hand his reputation is not high with the Law Society. In fact it is rock bottom.

In March last year the Law Society of the Cape of Good Hope applied to have his name struck from the roll of attorneys because of unprofessional conduct.

They alleged irregularities in the handling of fees from accident insurance claims and they produced witnesses who swore Mr Jackson had procured false affidavits from them in order to protect himself from the charges.

On March 17 this year the order striking him

from the roll was granted by the Eastern Cape Division of the Supreme Court.

He lodged notice of appeal and continued practising pending the hearing of the appeal.

It should be noted that there was no connection between the Law Society application and his handling of riot cases. In fact, the law society investigation into his affairs predated his involvement in such cases.

On April 1 the Law Society lodged an urgent application to stop Mr Jackson practising while waiting for his appeal to be heard.

In the Supreme Court at Grahamstown Mr Justice Langa and Mr Justice Gubbay held that Mr Jackson had been correct in thinking that he could continue practising. But they granted the application on the grounds that the conduct of the public in allowing him to keep practising was greater than the public's duty to stop him from practising.

The decision was by a majority of two to one against his order.

It is necessary to examine Mr Jackson's profile with the Law Society because he is the

The Algoa Park police station in Port Elizabeth is an armed camp with riot vehicles parked in fenced-off grounds, with a helicopter landing pad and with a guarded and bomb-blasted gate. It is also the scene of a so-called "black and white" war where thousands of people arrested during riots. Recently a foreign newspaper correspondent commented in the Christian Science Monitor that the court dispensed "the same sort of questionable justice the world witnessed during the inquest into the death of imprisoned black leader Steve

Biko." Today The Star questions this statement. An investigation by KEVIN STOKES of The Star's Insight Team, suggests that there may be at least some ground for concern.

Where the Law

24 29/7/78 (881)

le a name defending blacks

attorney most involved with the Algoa Park Court and also the man who is most unhappy with that court. His credibility is therefore relevant.

Many in the black community see Mr Jackson as the man who procured financial help for many accused in riot cases.

It was he who asked the South African Council of Churches to help pay their legal costs.

The help was granted. Some of Mr Jackson's critics say that this has meant his fees get paid.

One magistrate, Mr J Moony, in refusing a bail application for 19 blacks accused of public violence, commented that Mr Jackson had found a source of funds to tap for the defence of his public violence clients.

He said the whole business appeared to be well-organised and that a defence fund similar to the one used in the "notorious Biko affair" existed to help contributors when they landed in trouble.

This comment attracted judicial criticism when the bail refusal was taken on appeal.

Mr Justice Solomon said the source of funds had no bearing on the bail application and the magistrate's reference to the Biko affair amazed him. He added that if the comment meant the fees aspect of the Biko affair had been notorious, then the magistrate's words had been unwarranted, ill-considered and injudicious.

In the same case a police witness, Sergeant P Nel, in giving evidence opposing the bail application, told the magistrate that the society that paid Mr Sydney Kentridge SC to appear in the Biko inquest was also financing the defence of people appearing on public violence charges in Port Elizabeth.

Whatever one's view of Mr Jackson, most people would accept that he performed a public service in helping procure the best possible defence for people appearing on serious charges.

On Wednesday this week Alfred Lungile Mjuza, aged 20, was convicted of public violence and sentenced to eight years in jail.

He was not represented.

and after

is imprinted on 29/4/78 (331) their bottoms

Many of the lessons in respect for the law dispensed by the Regional Court in the Algoa Park police station have been imprinted on the bottoms of black children.

In fact it was the number of juveniles being sentenced to canings that stirred the local legal fraternity to what seems to have been their only formal action in connection with the administration of justice during the riot situation.

Last year the Bar Council announced that advocates and attorneys would voluntarily sift through the records of about 700 cases (mainly concerning juveniles who had been caned) with the idea of presenting some of them to the Judge President of the Eastern Cape for review.

This week the chairman of the bar council, Mr T M Mullins, told The Star that no cases had yet been sent for review.

Those who are unhappy with the special Regional Court in the Algoa Park Police Station do not accuse the magistrates concerned of bad faith.

They feel that within the compass of the laws they must enforce, they do a difficult job to the best of their abilities.

On occasion there is a feeling that some magistrates may have been mistaken in their view of a case or that they have shown too much severity.

Often quoted is the case of four youths aged from 14 to 16 who are now on Robben Island facing five year sentences for sabotage. They were accused

Attorneys and advocates were still giving their own time to going through the records, he said, but in any case there was no urgency as the cuts had already been administered. What might be achieved was that in some cases convictions would be removed from the records of the juveniles concerned.

Mr Mullins said that in most cases the cuts were administered immediately after sentencing.

He felt, however, that it was not the Bar Council's function to comment on the propriety of holding a court in a police station where accused were tried on the same premises where, they often alleged, they had been beaten and tortured and where they were taken to court by the same policemen they claimed had maltreated them.

Nor would he comment on a case where a witness, prepared to give evidence in a bail hearing for the 280 schoolchildren, was de-

tained in the corridor outside the court under Section 22 of the General Law Amendment Act. At the time, the prosecutor told the court he was "as surprised" as the defence by the detention.

All Mr Mullins would say was that it often happened that a required witness was in detention and there was nothing to be done about it. "If the law says that then we must uphold the law," he said.

The vice president of the Law Society of the Cape of Good Hope, Mr H R M Murray, also refused to comment.

Mr Murray felt that any comment on such matters would have to come from the president of the Association of Law Societies, Mr W van Rensburg.

The Star telephoned Mr van Rensburg's office in Johannesburg but was told he would not be available until Monday. The immediate past president, Mr B Mansell, was contacted but he felt that

only the president could comment.

Mr Mansell said he had strong personal convictions but was not prepared to make them public. He suggested that it might be best if any comment came from the Law Society of the Cape of Good Hope.

One person who did comment was Mr R Coulter, chairman of the Port Elizabeth Attorney Association.

He dismissed allegations that there was anything untoward about the Algoa Park police station court as "absolute poppycock."

Mr Coulter said there had been concern that there might be whiplash law with large numbers of cases being heard in specially convened courts and that members of the association had been asked to keep a close watch on the situation.

In addition certain generalised complaints had been investigated: "We found them to be utterly groundless."

Are the senten

of burning down the house of the Transkei envoy and of trying to burn down two other houses.

As an appeal has been lodged the merits of this case cannot be discussed.

Another case where the lawyer concerned, Mr John Jackson, felt the sentence was surprisingly severe, is that of Moses Matanise who received an 18-month sentence for throwing a rock at a police vehicle and causing damage of approximately R10.

On the same day in

another court another youth, who like Matanise was 19 and a first offender, received a 12-month sentence for culpable homicide — having killed a man in a stabbing incident.

Mr Jackson's main objection to the court is its location in a police station.

On one occasion he applied to have the court moved. He complained that, with helicopters taking off, armed policemen marching about and police dogs barking, the atmosphere was not conducive

to justice.

Mr Jackson also complained that he had been subjected to jibes and remarks by policemen about his defence in riot cases.

The prosecutor, Mr C C Klackers, opposed the motion saying the police station had a room where State witnesses could be protected from intimidation while the law courts did not.

The magistrate refused the motion saying that in present circumstances it was important that the court remain at the Algoa

29/4/78

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New Brighton at the height of the riots.

Is too severe?

police station.

Mr Jackson has also claimed that spectators found it difficult to get into the closely guarded police station.

He points out now that the court is temporarily out of use while being redecorated and that riot cases being heard in the main law courts—seem to be without inconvenience to anyone.

Mr Jackson also complains that there seems to be a tendency by the prosecution to split cases arising from the same

incident and try the various accused separately.

He quotes the case of Buy Hoho and Zolile Banda—both now serving 30-month sentences (with 12 months suspended) for public violence. They were convicted on the evidence of a police sergeant.

Subsequently Mr Jackson was retained to defend a Mr Mhlahlo in a case that is still proceeding and that he is being permitted to complete. A different policeman gave evidence but it soon

became apparent that the case arose from the same incident.

He told us that it seemed to him that there were significant differences between the evidence of this policeman and the one who gave evidence in the first trial.

He said he applied for an adjournment in order to obtain a certified copy of the evidence of the first trial and he intends introducing this into evidence and cross-examining the witness of any contradictions.

This, he points out, may help Mr Mhlahlo, but will it do anything for Buy Hoho and Zolile Banda who have already been tried and sentenced?

Mr Jackson says that it was only the coincidence of the same lawyer appearing in both cases that brought possible contradictions to light. If a different lawyer had handled the second case, it is probable that he would not have been aware of what was said in the first and the police evidence would have gone unchallenged.

Where possible, he says, accused from the same incident should be tried together so that any differences between witnesses can be examined.

Duma ill so trial is postponed

West Rand Bureau

Illness of Mr Enoch Duma (26), a Sunday Times journalist accused under the Terrorism Act, has caused postponement of his trial at Krugersdorp.

Mr Duma and Mr Aitken (Duke) Ramudzuli, a former teacher have pleaded not guilty before Mr Justice S A Steyn and two assessors in a special court.

Mr George Bizos, for Mr Duma, said at the start of today's hearing that he regretted he had to ask for a postponement but his client was ill.

He said that Mr Duma appeared to have influenza and was running a temperature. His blood pressure was also apparently abnormally high.

Mr Bizos said that evidence had already been led during the trial that Mr Duma suffered from high blood pressure.

He said Mr Duma was

not fit enough to undergo cross-examination by the prosecutor, Mr A P de Vries.

Mr Justice Steyn postponed the case until Monday. He asked the court authorities to have Mr Duma medically examined and to be given the necessary medical care. Mr Duma is in custody.

'Bull' judgment is reserved

Pretoria Bureau

Judgment was reserved in the Pretoria Supreme Court yesterday in a case where a passenger in a car involved in a collision with a bull has sued the farmer-owner for R12 495 damages.

Mrs Hawa Haffejee of Makwassie alleged that the collision occurred when a bull owned by Mr I S W B van Zyl ran into the road.

Passport 4/5/78 RDM (331) was false

BETHAL. — An accused in the Pan-Africanist terror trial was alleged to have given a false name and passport to a member of the Security Police, when stopped on the Swaziland border last year.

A State witness, Sergeant C Rorich, said in the circuit court yesterday that Goodwill Moni had given his name as Izak Radebe when questioned at the Bothashoop border post on April 30 last year.

Sergeant Rorich said acting on information he had received, he expected Mr Moni to arrive at the post on that day. When asked to produce a passport Mr Moni showed one with a photo bearing no resemblance to himself.

The trial continues on Monday. — Sapa.

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(2) 331

The Cape Times, Saturday, May 6, 1978

3

Youths get five years for arson

Staff Reporter

HERMANUS. — Two students who were part of a group which set fire to a Guguletu high school were yesterday sentenced to five years each for sabotage.

Appearing before Mr J S C van Graan in the Regional Court here were Lawrence Mvula, 20, and a 17-year-old youth. They pleaded not guilty.

The court found that the two were part of a student group which set fire to a classroom in the I D Mkize High School, Guguletu, on the night of September 11. Before the group attacked the school it discussed setting buses on fire.

Passing sentence, Mr Van Graan said the court had approached the evidence of the State's four detained witnesses, who may not be named, with caution because they were all accomplices. But the four were kept in separate police stations, he said, and it was therefore unlikely they could have come together to

agree on a common story — as the defence council, Mr A H Veldhuizen, suggested.

Mr Van Graan said the State's first detained witness was so reliable that if the State had not called any other witnesses, Mr Veldhuizen would not have found it so easy to close the defence case without calling the accused to the witness-box.

Mr Van Graan said the evidence of the second detained witness had contradicted that of the first, as the defence pointed out, but "it must be borne in mind that the fire took place seven months ago, and it is difficult for anyone to recall something that happened so long ago."

The evidence of the third and fourth State witnesses also differed in detail from

that of the first, but Mr Van Graan said: "It has also to be kept in mind that there was a large group of people at the school who were all busy with their own thing. Indeed, if the witnesses had agreed on every detail, then the court would have been sceptical."

Earlier Mr Veldhuizen said the witnesses might have been trying to implicate the two accused. Mr Van Graan said: "If the evidence of the witnesses was false implications, then the court would have expected the accused to go into the witness-box to refute it, but they chose not to."

Speaking in mitigation of sentence, Mr Veldhuizen said there had been no serious damage to the school, that the accused were young and it was possible they were influenced by one of the leaders of the expedition who may not be named.

Mr Van Graan replied that if the court had a choice, he would have differentiated between the two accused. He would have sentenced the youth to a period in a reformed school, to light cuts or to a suspended sentence.

In terms of the Sabotage Act, however, he could not sentence the youth to less than the minimum sentence of five years.

Defence council indicated that notice to appeal would be lodged.

Mr J Vermaak prosecuted. Mr Veldhuizen was instructed by A M Omar and Company.

School told of

HERMANUS. — Two Guguletu youths, Lawrence F Mvula, 18, and Kildas J Bokwana, 18, appeared in the Hermanus Regional Court today on a charge of sabotage, alternatively arson. Both pleaded not guilty.

The charge arises from an incident on September 21 last year when desks and books in a classroom at Fezeka High School, were set on fire in the early hours of the morning. About R1 000 damage was caused.

The public prosecutor, Mr J Vermaak, asked for the case to be held in camera when certain witnesses — detainees — were called to give evidence.

He asked the court to seriously consider the application because if the identities of the witnesses were disclosed there was a possibility that they or their families would be threatened or assaulted.

The magistrate, Mr A J Burger, granted the application. The Press was permitted to stay in court providing the identities of witnesses were not published.

BOUGHT PETROL

The first detainee witness admitted being involved in the fire and was warned as an accomplice. He told the court of a meeting held the day before the fire at the home of Mr Mvula whom he knows.

At the meeting, which was attended by eight youths, Mr Mvula spoke about burning schools. Money was collected at the meeting and given to Mr Mvula to buy petrol, the witness said.

The group met again the following evening at the home of another member of the group. The wit-

ness said Mr Mvula showed them the petrol; it was in a plastic container carrier in a plastic bag.

At 1 am the group went to the school. The witness said it was decided that he and Mr Mvula would stand guard, but as they entered the school Mr Mvula said he wanted to go inside the classroom.

The witness said he stood guard. A short while later someone called from the classroom: 'Everything is finished.'

'I ran in the direction of the classroom. As I passed it I saw flames. Then I ran home,' he told the court.

When asked the reason for burning the school the witness replied that it was done to call attention to the fact that the pupils were dissatisfied with the Bantu Education system.

Mr A H Veldhuizen, instructed by A M Omar and Company, appeared for the defence. (Proceeding).

Sabotage trial petrol-burners

THE ARGUS, MONDAY MAY 8 1978

① 275
② 331

① 275
② 331

School sabotage told of petrol-bombing

HERMANUS. — Two Gugulethu youths, Lawrence F Mvula, 18, and Kildas J Bokwana, 18, appeared in the Hermanus Regional Court today on a charge of sabotage, alternatively arson. Both pleaded not guilty.

The charge arises from an incident on September 21 last year when desks and books in a classroom at Fezeka High School, were set on fire in the early hours of the morning. About R1 000 damage was caused.

The public prosecutor, Mr J Vermaak, asked for the case to be held in camera when certain witnesses — detainees — were called to give evidence.

He asked the court to seriously consider the application because if the identities of the witnesses were disclosed there was a possibility that they or their families would be threatened or assaulted.

The magistrate, Mr A J Burger, granted the application. The Press was permitted to stay in court providing the identities of witnesses were not published.

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At the meeting, which was attended by eight youths, Mr Mvula spoke about burning schools. Money was collected at the meeting and given to Mr Mvula to buy petrol, the witness said.

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Were dissatisfied with the Bantu Education system. Mr A H Veldhuizen, instructed by A M Omar and Company, appeared for the defence. (Proceeding).

Third witness tells of school-burning

ARGUS 9/5/78

From a Staff Reporter

(2) 331

HERMANUS. — A detainee witness said in the Hermanus Regional Court today that Lawrence F Mvula, 18, told him at a meeting in Guguletu last year that Fezeka High School had to be 'taken' (burnt).

Mr Mvula and Kildas Bogwana, 18, face a charge of sabotage, alternatively arson, following a fire in a Fezeka High School classroom on September 22 last year which caused damage amounting to about R1 000.

The witness, the third detainee to testify, said a meeting was held at which Mr Mvula asked the group which of them wanted to stand guard at the school. He told the group Fezeka had to be 'taken.'

Following an application by the prosecutor, Mr J Vermaak, that the case

be heard in camera, the magistrate, Mr A J Burger, has permitted the Press to attend provided the identities of witnesses are not published.

When asked by the defence counsel, Mr A H Veldhuizen, why he had been involved in the burning at the school, the witness replied that he could not say why he had been involved.

The witness said a group of eight met at his home on the night of September 21. Mr Mvula brought a cooler-bag holding a plastic container of petrol.

NOT VOLUNTEERED

They waited until midnight and then went to the school.

The witness and two others followed Mr Mvula into the classroom. Mr Mvula spread petrol round the classroom and he and another lit the fire. As the flames spread they all jumped out of the window and ran away.

The witness said he had not been told by the police that charges against him might be dropped if he made a statement.

He would not have volunteered to be a witness, but had made a detailed statement to the police

without them asking him any questions.

The second detainee witness, a Standard 9 pupil at Fezeka High School last year, said in evidence yesterday that the police told him charges would possibly be dropped if he made a statement.

The police had told him they could detain him for a long time, he said.

The State closed its case today.

Mr Veldhuizen is instructed by A M Omar and Company. (Proceeding)

Cape Times 9/5/78

court

Third sabotage trial at Hermanus

HERMANUS. — A State witness said yesterday that the police described to him the contents of statements made by other witnesses when they (the police) told him that charges would probably be dropped against him if he made a statement.

He told the Regional Court on the first day of the third sabotage trial to be held here in three weeks, that the police mentioned to him the names of those whom they thought were involved before he wrote his statement. He did not specify whether he was talking about the security police.

The youth, who may not be named, was the State's second detained witness in the trial of Lawrence Mvula, 18, and Kildas Bogwana, 18.

Both Guguletu students pleaded not guilty to sabotage, alternatively to arson. The charge arises from a fire at Fezeka High School on September 22.

At the start of the trial the prosecutor, Mr J Vermaak, asked that the proceedings be held in camera because the mother of one of the State witnesses who gave evidence in the first trial last month, had been assaulted. The magistrate, Mr A J Burger, ruled as requested, but later allowed the press to remain.

The supervisor at Fezeka High School, Mr Clemens Gaika, told the court that while on duty just after midnight on September 22 he saw a classroom burning. Inside the room he found that books and desks had been stacked together and set alight.

Mr A H Veldhuizen for the defence asked that the parents of Mr Bogwana be allowed to attend. Mr Burger ruled against this.

The State asked the court to accept that R1 000 damage had been caused at the school. The defence accepted this.

The State's first detained witness, who may not be named, said he knew the accused, in particular Mr Mvula, a relation of his. He said Mr Mvula summoned him to a meeting.

Seven other students were there, including Mr Mvula and Mr Bogwana. The students decided to set Fezeka High School on fire as a protest against Bantu education, and Mr Mvula collected money to buy petrol.

On September 21 the witness went to a house in Section 4, Guguletu, where the students decided to wait till midnight before going to the school. Mr Mvula had a plastic petrol container.

At the school Mr Mvula went into the classroom with the petrol. The witness said that after he was arrested he did not discuss the night's events with the State's second detained witness.

The State's second detained witness said he also attended the meeting and went to the school. Mr Mvula and Mr Bogwana were at the school, too, he testified.

Cross-examined by Mr Veldhuizen, the witness said he had discussed the night's happenings with the State's first witness. He said he went to the meeting with the State's first detained witness. He also said that Mr Mvula and Mr Bogwana might not have been at the school.

Asked whether the statements of other witnesses were shown to him, he said "the names of the people who made the statement were shown to me, and it was explained to me what was in the statement. The police said to me there was a possibility that charges would be dropped against me if I made a statement."

He added that when the police discussed the statement with him, they suggested to him that Mr Mvula and Mr Bogwana, among others, were involved in the fire. The case continues today.

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Case Times 9/5/78

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Case Times 9/5/78 ① ② 331

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Sabotage accused tells of cash offer

ARGUS 10/5/78

331

From Staff Reporters

HERMANUS. — Lawrence F Mvula, one of two accused facing a charge of sabotage, said today he was implicated in the case because a State witness was promised R400 for giving evidence for the State and R800 if he implicated someone.

He and Mr Kildas Bogwana, both 18, face a charge in the Hermanus Regional Court of sabotage, alternatively arson. The charge arises from a fire in which a classroom of the Fezeka High School, Guguletu, was burnt in September last year.

Mr Mvula denied being involved in the fire although he admitted being at two meetings at which the burning of the schools was discussed.

He said he left the second meeting after he heard the group say they were going to burn the Fezeka High School. He did not want to have anything to do with it, he said.

The magistrate, Mr A J Burger, asked him what reason a State witness should have for implicating him so deeply in the fire incident if he was not there.

Mr Mvula replied that it was his opinion that the witness got the information from the police.

The police also begged me to become a State witness. I suppose the de-

tainee witness wanted the money, Mr Mvula said.

Mr Burger: What money.

Mr Mvula: If you become a State witness you get R400.

Mr Burger: Who said so?

Mr Mvula: Major Swart. He said if you implicate someone you will get R800.

Mr Mvula said he told his attorneys of this.

In giving evidence earlier Mr Mvula said he was surprised that Mr Bogwana was also accused as he had not seen him at either of the meetings.

Mr Bogwana said he was offered R200 by Major Swart if he became a State witness and implicated Mr Mvula and another detainee.

Major Swart said he would tell me how to implicate them, he said.

Mr Bogwana denied being at either of the two meetings or being involved in the fire. He said he was visiting his girlfriend on the night of the fire.

Asked why he did not tell his attorney about the money offer, Mr Bogwana said he forgot.

The case was adjourned until 9 am tomorrow.

Mr A J Veldhuizen, instructed by A M Omar and Company, appeared for the State.

Witnesses in bid to save themselves, says accused

HERMANUS. — Lawrence Mvula told the Regional Court here yesterday that State witnesses said he and Kidlas Bogwana helped to set fire to a Guguletu school only because the witnesses wanted to save themselves.

Both Mr Mvula, 18, and Mr Bogwana, 18, pleaded not guilty to a charge of sabotage, alternatively arson, on Monday.

The charge arises from a fire at the Fezeka High School, Guguletu on September 22.

The State closed its case at lunchtime yesterday after the third detained State witness gave evidence.

The witness, who may not be

named told the court he was the last person to arrive at a students' meeting before the burning of the school. Mr Bogwana asked the eight students there for donations to buy petrol. Mr Mvula volunteered to buy the petrol and carried it in a cooler bag on the night of September 22. The witness said that he was in the school when Mr Mvula poured petrol on desks and books and set them alight.

Plastic

The State's first detained witness, who gave evidence on Monday, said he was the last person to arrive at the student meeting. Both he and the State's second detained witness also told the court on Monday that the petrol was carried in a plastic container.

Asked by Mr A H Veldhuizen, for the defence, what questions the police asked him about the fire, the State's third detained witness replied that he was asked no questions. He said he told the whole story without prompting.

Mr Veldhuizen: You told the whole story in detail without being asked a thing?

Witness: My father always told me to tell the truth.

Mr Veldhuizen: Did he also tell you to burn schools?

Cousin

Mr Mvula told the court that he attended the students' meeting only because his cousin called him to it. He said he was asked to buy the petrol but refused as he had to go to school the next day. He said he arrived at the house where the students gathered on September 22, before they left for the Fezeka High School, because a fellow student asked to be shown the way there. Ten minutes after he realized that the students were going to burn the school, he crept away. He did not see Mr Bogwana there.

Asked by Mr J Vermaak, for the State, why all the State witnesses who were his friends should try to implicate him and Mr Bogwana if they were innocent, Mr Mvula said: "I think they are trying to save themselves. You may know someone well, but when he's in trouble, he won't be so good to you anymore."

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The case continues today.

Mr A J Burger was on the Bench. Mr Veldhuizen is instructed by A M Omar and Co.

Major tried to bribe us, say accused

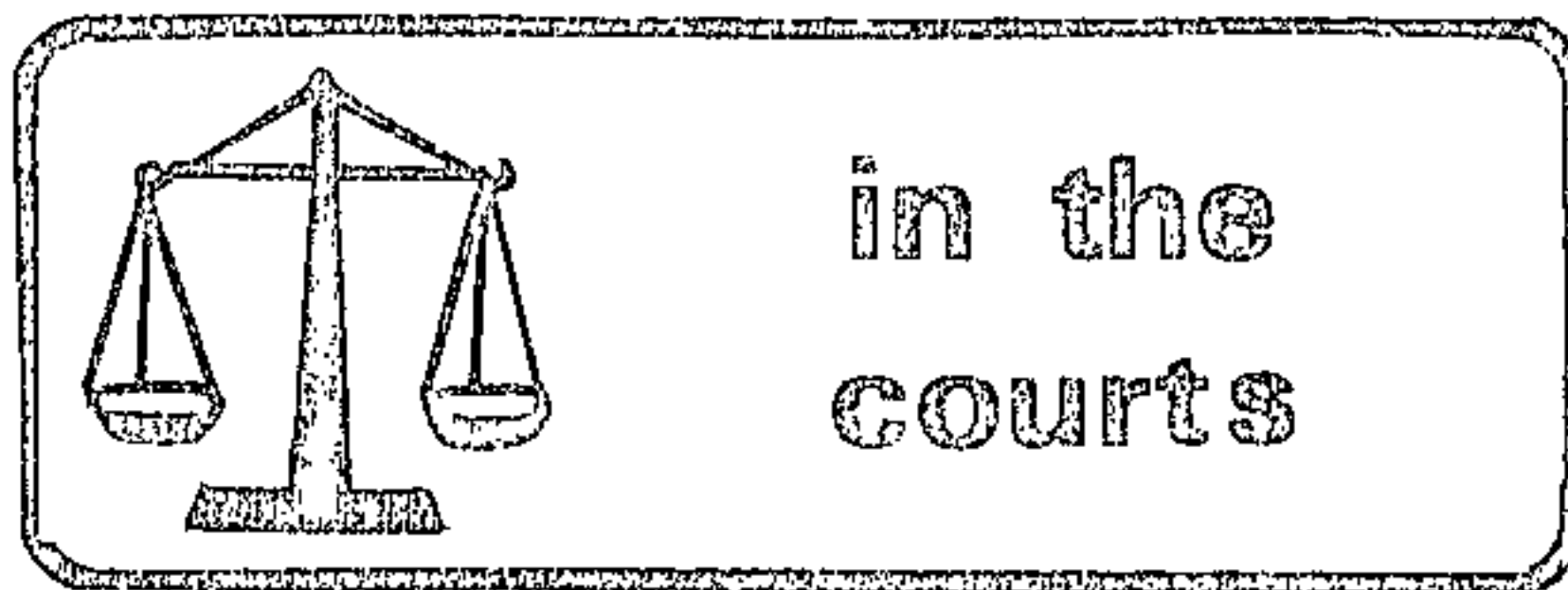
Cape Times 11/5/78

HERMANUS. - Lawrence Mvula and Kidlas Bogwana told the Regional Court here yesterday that Major R I "Blackie" Swart of the security police tried to bribe them into becoming State witnesses.

Mr Mvula said Major Swart offered to double the amount if he agreed to implicate others.

Mr Mvula, 18, and Mr Bogwana, 18, appeared before Mr A J Burger on a charge of sabotage, alternatively arson. Both pleaded not guilty. The charge arises from a fire at the Fezeka High School, Guguletu, on September 22.

Cross-examined by Mr J Vermaak, for the State. Mr Mvula denied he conspired with other students to set the school on fire, that he bought petrol or that he was at the school on



September 22. He repeated that the State witnesses were trying to implicate him because they wanted to save themselves.

Mr Burger said he wished to ask Mr Mvula how the State's third detained witness could have had such implicating evidence about him.

"In my opinion," Mr Mvula said, "he received this information from the police. They also asked me to be a State witness. Also, he probably wanted the money. If you become a State witness, you get R400."

Mr Burger: "Who said so?"

Mr Mvula: "Major Swart. He also said that if I implicated someone else I would get R800. But I refused."

Mr Bogwana said he never attended a meeting, nor was he at the school on the night of the fire.

Asked by Mr A H Veldhuizen, for the defence, whether he was asked to be a State witness, Mr Bogwana said: "Major Swart asked me to be a State witness. I was to implicate Mvula and the State's first detained witness. He said he would tell me how to implicate them. He said I would get R200. Then he said he had asked me for long enough and so he would lay a charge against me. He never asked me again."

Mr Burger asked the prosecutor to have Major Swart present at today's proceedings.

Mr Veldhuizen is instructed by A M Omer and Company.

Kruger to probe undermining

Cape Times 13/5/78

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HOUSE OF ASSEMBLY. — The Minister of Justice, Mr Jimmy Kruger, said yesterday South Africa's legal system was being undermined by people using certain practices in security court cases, and he would investigate these during the parliamentary recess to determine what could be done to counter them.

Replying to the debate on the Justice Vote, Mr Kruger listed the recurrent practices as delaying tactics in security cases, demonstrations in and near courts of law, intimidation of witnesses, the frequent appearance of certain advocates and lawyers in security proceedings, and the enormous amounts of money which were available to defendants in these cases.

"There has been wide consultation on this problem and various measures have been proposed as solutions, but the underminer has chosen his terrain well.

"As democrats we are vulnerable, because preventive measures must of necessity be of such a nature that it could be described as a negation of our basic legal principles, possibly even from favourable quarters," he said.

"On the other hand, we have to do with an important aspect of the onslaught, not on the government, but on our system of government and our way of life. In a nutshell, we have to do here with the deliberate undermining of our democratic legal system, and I will again look at the whole matter during the recess to determine what can be done about it.

"Meanwhile, I feel at liberty to request the co-operation of our whole legal society in our efforts to withstand the onslaught. I have the fullest confidence in the controlling bodies of the legal professions. Perhaps they can think of ways of preventing individuals from the legal profession from contributing to the undermining of the legal system we know and in which we believe," he said.

Earlier, Mr Kruger said the government had for years been reproached for taking administrative action against underminers. "From our side we regard it as the primary task of any government to ensure the safety of the State and to ensure law and order, and that governments should also use administrative action against persons, organizations and publications, should circumstances require. It is a view which conforms to internationally-accepted norms."

The government always endeavoured to curtail the activities of underminers by making use of the courts, but this policy had cost the country dearly on various occasions.

Explaining that revolutionaries regarded nothing but the revolution as sacred, he said South Africa had long ago become conscious of the fact that the legal system and court procedures were being abused, but that this problem had become so serious recently that it could no longer be ignored.

Five important aspects of the problem had become discernable recently.

"In the first place it became clear over the years that delaying tactics were frequently being used in security cases. Our democratic court procedures can easily be abused for this purpose without the presiding judge or the judicial officer being aware of it or being able to do anything to prevent it."

Demonstrations in and near court rooms, people entering the courts while chanting songs and waving fists, and impromptu speeches in courts, had also become a regular feature at security cases, and received wide media coverage.

Many policemen who could have been used more productively elsewhere were required to be present at these rallies to protect the public against possible violence.

Intimidation of witnesses frequently occurred, and there had been instances where the lives of witnesses had been threatened from the public gallery. The normal pattern which followed such actions was that witnesses, suddenly forgot vital aspects of their testimony, claimed they had been assaulted by the police or became unwilling to testify.

Turning to the regular appearance by certain advocates and lawyers in security cases, Mr Kruger said: "I want to state clearly that I am not referring to advocates and lawyers generally, and also not to all advocates and lawyers appearing in security cases. I am referring to those individuals who associate themselves with the cas

of system

and aims of underminers to such an extent that it becomes questionable whether the trust vested in them as officials of the court is justified."

Mr Kruger said he had been told that one advocate had received R10 000 a month as a standing fee for a certain case, and another had received R8 000 a month on the same basis. These people were bragging about the possibilities for delaying their cases.

The last aspect was the "enormous amounts of money" available to defendants in these cases, who never made use of pro Deo advocates. He was in favour of people being properly represented, but this money came from political organizations with political aims, and he was opposed to the use of money to undermine South Africa, he said.

● Mr Kruger announced that from this year police would be issued with training outfits and that their first sets of winter and summer uniforms would be issued at State expense. He said that in the 1979/80 financial year the provision of free uniforms for all police would be investigated.

He also announced that the present internal promotion examinations would be replaced by a diploma course to be known as a National Diploma in Police Administration. Only serving members of the police force would be eligible to take the course, which would afford professional status to the police, he said. — Sapa

Sentenced again

BLOEMFONTEIN. — For the second time in nine months, a Johannesburg woman, Lena Kleinschmidt, 24, was sentenced in the Magistrate's Court here yesterday to a year's sentence for failing to answer questions by the senior prosecutor at an examination under the Criminal Procedures Act.

Mr E T Engelbrecht sentenced Kleinschmidt to a year's sentence for failing to answer questions about an alleged visit on August 5 last year to Mrs. Winnie Mandela, who is restricted to the Brandfort district.

On September 8 last year, Kleinschmidt was sentenced by another Bloemfontein magistrate,

to 12 months for failing to answer questions.

An appeal against the conviction last September was upheld by the Port Elizabeth court and the woman set at liberty.

Counsel for the defence, Mr E M. Wentzel, yesterday immediately gave notice of appeal and had her bail set at R15.

Kleinschmidt, who said she was now a secretary in a legal office in Johannesburg, said the court Mrs. Mandela was a "friend of long standing".

"Because of my relationship with Mrs. Mandela, I don't feel I am able to answer the prosecutor's questions. I am not contemptuous of the processes of law. I have duties rising out of my friendship with Mrs. Mandela."

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Kruger asked for details of 'un

Own Correspondent

JOHANNESBURG. — The Johannesburg Bar Council will send a telegram to the Minister of Justice, Mr J T Kruger, today to ask for details on his allegations that unnamed lawyers are undermining the legal system.

It was decided on Saturday to send the telegram to Mr Kruger so that the Bar Council can investigate, Mr J F Coaker, chairman of the council said yesterday.

The telegram would urge Mr Kruger to send relevant details on his allegations to bar councils throughout South Africa if he had not already done so. Mr Coaker added. In Parliament on Friday Mr Kruger referred to lawyers in security trials who used delaying tactics, who appeared frequently in security trials and who had access to large sums of money.

"I am not referring to advocates and lawyers generally and also not to all advocates and lawyers appearing in security cases," Mr Kruger said. "I am referring to those individuals who associate themselves with the case and the aims of the underwriters to such an extent that it becomes questionable whether the trust vested in them as officials of the court is justified."

It was disclosed at the weekend that several lawyers who have been defence counsel in political trials have been denied the right to see clients in prison if the clients had been convicted. The Sunday Express named five lawyers who were banned from seeing convicted prisoners but not awaiting trial prisoners under a new regulation empowering the Commissioner of Prisons to refuse lawyers access to prisoners.

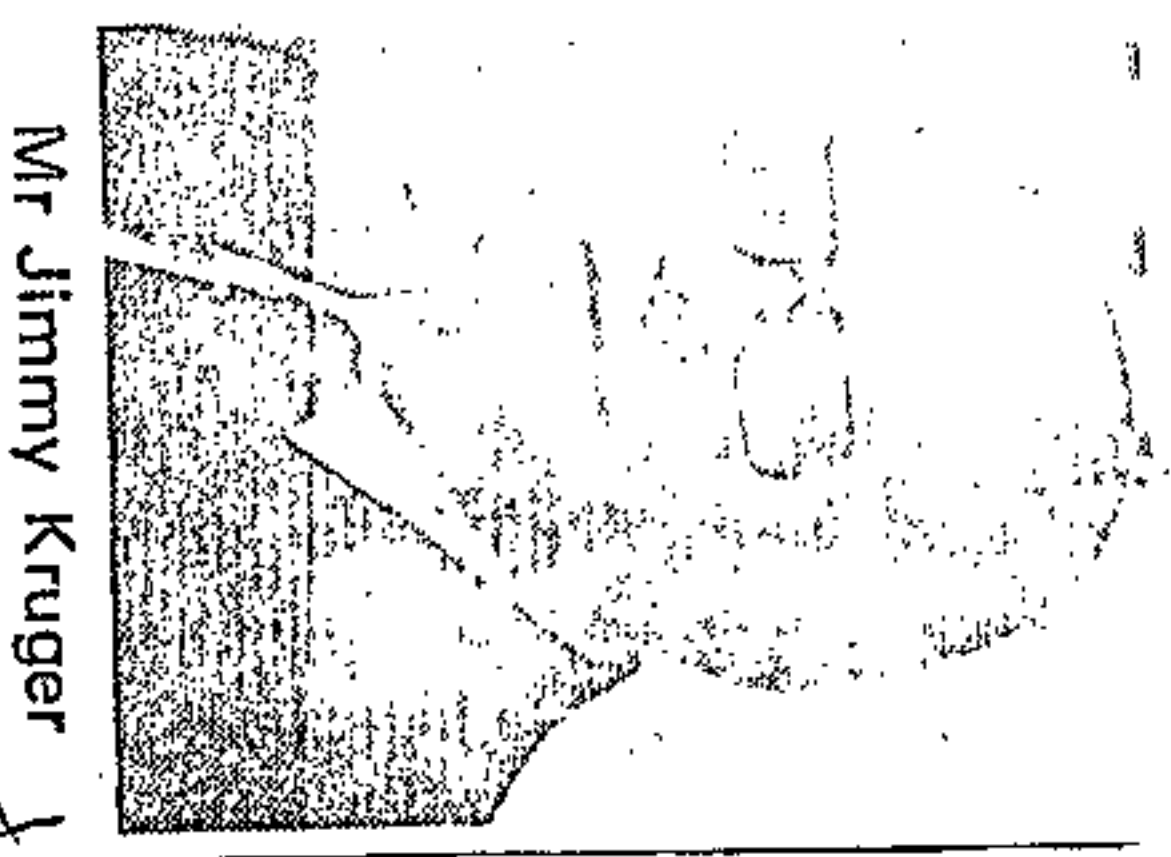
It was confirmed that three of the lawyers banned under the new regulation are Mr David Soggor, Mr Shun Chetty and Mr Ishmael Ayob. One of the lawyers, Mr George Bizos, denied that the ban applied to him. "The matter goes back almost a year," Mr Bizos said. "I was informed on my return from holiday then that certain officials had been informed that I was not to see certain convicted prisoners on Robben Island. "I was later assured by the chairman of the Bar Council who had taken the matter up with the minister that I would not have any difficulty in seeing anyone in prison who required me to defend him. "I have since seen a number of clients in prison without any difficulty," Mr Bizos said. A prominent lawyer yesterday defended defence counsel requests for delays in the process of justice and not the financial or financial considerations, he said. "In some security law cases

dermining

The State has locked the accused up for six months during which time it has had complete access to them.

Mr Kruger's comments were likely to create an atmosphere of intimidation which will make it difficult for defending counsel to do its duty, he added.

Mr Helen Suzman, of the Progressive Federal Party, said it might be the fabric of the legal system is in much greater danger from Mr Kruger than from the unnamed lawyers.



Mr Jimmy Kruger

Youth^{17.05} witness^{17.05} brushes away tears

From a Staff
Reporter

HERMANUS. — A 20-year-old Nyanga youth brushed tears from his eyes in the Regional Court, Hermanus, today as he told of a meeting held in Guguletu last year where, he alleged, plans to burn a school were discussed.

The youth, who may not be named, was giving evidence at the trial of Joseph Mxolisi Pantshwa, 24, Nxiwonke Solomon Jack, 19, and Sipho Benjamin Singiswa, 18, all from Nyanga who face one count of sabotage, alternatively arson and another of assault with intent to do grievous bodily harm.

They pleaded not guilty.

The charges arose from an incident last year in August when the Sizamile High School in Nyanga was set on fire.

At the request of the Public Prosecutor, Mr J Vermaak, the case is being heard in camera when certain witnesses are called with only the Press and parents of the accused allowed present.

DISTRESSED

The youth, who has been in detention since October 19 last year, became distressed as he told the court that his 'blood' cousin, Solomon Jack, was one of the accused.

The Prosecutor asked him whether he was well and he replied: 'I am feeling all right. It's nothing,' as he brushed tears from his eyes.

He said he attended a meeting in August or September — he could not remember when exactly — where plans to burn schools were discussed. The three accused were there he said.

Mr J Vermaak is prosecuting and Mr R McDougall, instructed by Mallinck, Ross, Richman and Company, appears for the three accused. Mr S M Moodie appears for the witnesses in detention.

Totalitarianism

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Trials

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Jail for mother if she won't answer questions

The Cape Times, Monday, May 1, 1978 3

Own Correspondent

JOHANNESBURG. — A Hyde Park mother of two teenagers, Mrs Barbara Waite, leaves for Bloemfontein this morning to spend two months in prison — unless she changes her mind about not answering questions related to her friend, Mrs Winnie Mandela.

Mrs Waite, wife of former Springbok cricketer Johnny Waite, had a year's sentence reduced to two months after an appeal to the Bloemfontein Supreme Court last month.

She had been subpoenaed to answer questions relating to investigations against Mrs Mandela for having contravened her banning orders. Mrs Mandela is banned and restricted to Brandfort in the Orange Free State.

If Mrs Waite changes her mind and agrees to answer questions at any time during the two months, a court may agree to remission of sentence.

She will probably be taken from Bloemfontein to prison in Klerksdorp. It was there that Mrs Helen Joseph has just served a two-week sentence for a similar offence.

Mrs Joseph was released on Saturday. During her absence Mrs Cathy Burt who has been living in Mrs Joseph's house, received several abusive telephone calls.

"The calls began last Tuesday," Mrs Burt said yesterday, "and were both abusive and downright obscene. Now that Helen is back I expect the callers to get going in full force."

Mrs Burt said Mrs Joseph, who is listed and may not be quoted, seemed very well.

Meanwhile Miss Jackie Bosman, art editor of the Financial Mail, was subpoenaed on Thursday for time will appear on May 12.

Miss Bosman, with Mrs Iona Kleinschmidt, had been acquitted on appeal in the Bloemfontein Supreme Court for refusing to answer questions.

She will appear in the Bloemfontein Magistrate's Court on May 18. Mrs Kleinschmidt, who has also been subpoenaed a second time will appear on May 12.

RDM 5/5/73

Swazis arrest 8 more PAC, ANC members

By JON QWELANE

SWAZI police have arrested another eight members of two banned South African organisations.

The eight — members of the African National Congress (ANC) the Pan-Africanist Congress (PAC) — were arrested in the Mthikulu region, for allegedly possessing arms and ammunition of Russian origin.

Four of the arrested — Mr Joseph Mugomezulu, Mr Richard Malinga, Mr John Moeletse and Mr Enoch Zulu — are members of the PAC.

The names of the ANC members are not known.

Earlier this week the Swaziland Director of Prosecutions, Mr J A Haslam, said he knew of the arrests but said the matter was in the hands of the Prime Minister, Colonel Maphevu Dlamini.

But the Rand Daily Mail learnt reliably last night that the men would stand trial on May 31.

However it is not yet known what charges they would face.

The men are alleged to have been found in possession of Russian arms such as Scorpion sub-machine

guns. They are held.

Early last month a number of PAC exiles were arrested and are still in detention. Their arrest was said to have been due to a violation of the International Law of Refugees.

It is alleged that:

- ① They trained guerrillas inside Swaziland without permission from the Swazi authorities;
- ② They had been involved in the tribal faction fighting in the Ngwavuma district;
- ③ They had provided training in and recruits for the use of sophisticated modern weapons.

Most of them face deportation on their release.

It is not known whether the three former members of the banned Soweto Students Representative Council — Mr Issy Xuluwe, Mr Siphos Malinga and Mr Bongani Makwe — who were released from detention on Tuesday and immediately served with deportation orders, have already left the country.

The Swazi Deputy Prime Minister, Dr Zonke Khumalo, said on their release they would leave yesterday. Dr Khumalo could not be contacted for comment last night.

Terrorism trial accused praised Frelimo, says witness

Mercury Reporter

PIETERMARTZBURG —

A Nqutu teacher told his pupils that Frelimo's success in driving the Portuguese out of Mozambique was an example to Blacks in South Africa, the Supreme Court heard here yesterday.

Mr. Vusumuzi Lucas

Mbatha (23), a high school teacher, is appearing on two charges under the Terrorism Act and two under the Internal Security Act.

He has pleaded not guilty to all four charges.

Giving evidence yesterday one of Mr. Mbatha's pupils, whose name is being

withheld at the request of Mr. Peter Rowan, who is appearing for the State, said Mr. Mbatha taught him at Mvusini school in 1976 and 1977.

He said that just after the riots in Soweto in 1976 Mr. Mbatha told the class how to

make a petrol bomb.

The pupil told Mr. Justice Thirion and two assessors that on one occasion Mr. Mbatha told the class the Black people of South Africa should fight to get back their country.

The witness said Mr. Mbatha told his class that if

any of them wanted to leave the country for military training which would help them overthrow the Whites in South Africa, they should go to Swaziland, where they could negotiate with "some authorities there" and then go to other States for training.

A school tour of Swaziland was later arranged, but was called off for lack of money and passed for all the pupils.

Mr. M. Moerane is appearing for Mr. Mbatha. The hearing continues today.

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DIE BURGERS 9/5/78

Dossiere oor Breyten skoonveld

Van Ons Kantoor

PRETORIA.

ALBEI dossiere wat die volledige hofverrigtinge en bewysstukke bevat oor die twee hofsake waarby die digter Breyten Breytenbach betrokke was en wat ná afloop van die tweede hofsak verlede jaar spoorloos verdwyn het, is nog weg.

'n Woordvoerder van die Pretoriase Hooggeregshof het gesê die volledige hofdossiere het uit die kluis van die hof verdwyn pas ná afloop van die saak waarin Breytenbach verlede jaar van poging tot ontsnapping aangekla was.

VOLLEDIG

Die dossiere het die volledige hofverrigtinge bevat van die saak waarin Breytenbach in 1975 aangekla was ingevolge die Wet op die Onder-

drukking van Kommunisme en tot nege jaar gevangenisstraf gevonnis is, asook dié van verlede jaar waarin hy onskuldig bevind is op 'n aanklag van poging tot ontsnapping.

Fotostatiese afdrukke van bewysstukke wat in die besit van die Veiligheidspolisie was en by die hof ingelewer is, is ook weg. 'n Deurtastende ondersoek het niks opgelewer nie. Die oorspronklike dokument is nog in die Veiligheidspolisie se besit.

ROM
'Men spoke of
training'

BETHAL. — A State witness in the PAC Terrorism Act trial said yesterday she had overheard a conversation in which two men had discussed a lorry loaded with weapons travelling between Lesotho and Swaziland.

The witness, who may not be identified, told the Circuit Court at Bethal of trips to Swaziland last year with men who said they were going to undergo military training.

On April 21 last year a coded note was handed to her for delivery to a certain Vuyisile in Soweto. She did this, but the note was later given back to her and was in her possession when she was arrested.

One accused, Mr Goodwill Moni, accompanied her to Swaziland and another Mr Julius Lodigwe, fetched money from her, she said.

The case continues. — Sapa.

Biko's fate used as threat court told

B3/57/15 110
351
272

GRAHAMSTOWN — A police lieutenant threatened a 16-year-old youth that he would follow the black consciousness leader, Mr Steve Biko, if he did not make a confession, the Supreme Court heard here yesterday.

The youth is one of 13 teenagers appearing before Mr Justice Cloete, charged with murdering Sgt Msebenzi Mtintsi and Const Lionel Mrazi, alternatively public violence, at an Mdantsane bus terminus on September 25 last year.

In a special hearing

within a hearing, the court will determine whether the statements made to police by the accused are valid as evidence.

Sgt W. Ncoko, of the East London murder and robbery squad, denied he handcuffed the 16-year-old youth, placed a piece of rubber tube over his face so he could not breathe, or that he hit the youth with his fists to force him to make a statement.

The second time the youth refused to make a statement, Sgt Ncoko's senior officer, Lt E. Mostert, pointed a gun at

the youth and said: "Did you know Steve Biko? You will follow him."

The youth was terrified and agreed to sign the statement put before him, it was alleged.

Sgt Ncoko, who acted as interpreter, denied witnessing this.

Questioned by Mr Justice Cloete, Sgt Ncoko said had he been in charge of the case, he would have taken the accused before a magistrate to make a statement.

Det Sgt I. A. Höll, who acted as the interpreter for the statement taken

from another of the accused, denied he had taken part in any electric shock treatment and assault or that he placed three wet balaclavas over the youth's head.

Eight of the 11 young men and two young women accused are under 18 years of age and their names may not be published. The others are Ntsekelelo Vellum, 19, Andile Jele, 19, Mzuphela Ngwane, 19, Lumka Nyamza, 18 and Xoliswa Cynthia Zeppe, 19.

The special hearing continues on Monday. — DDC.



in the
magistrate's
court

Sabotage ^{②331}

trial: Youths

Cape Times 13/5/78
get 5 years

Staff Reporter

HERMANUS. — Two Guguletu youths, part of a group which set fire to a school last year, were yesterday sentenced to five years each for sabotage.

Regional Magistrate Mr A J Burger found that Lawrence Mvula and Kildas Bogwana, both 18, attended student meetings at which the burning of schools was discussed and that Mvula participated in setting alight a classroom at the Fezeka High School, Guguletu, on September 22. Bogwana stood watch outside to prevent interference from school guards.

Mr Burger refused a request by Mr A H Veldhuizen, for the defence, that Mvula's sentence run concurrently with a five-year sabotage sentence he received on May 5.

Mr Burger said he had approached the evidence of the State's three detained witnesses with "cautious scepticism" because they were accomplices. He did not accept, however, that the witnesses plotted to implicate Mvula and Bogwana in a bid to save themselves.

"The court cannot accept that these three witnesses, none of whom have matric, could have evolved a plot so skilful as to withstand the skilful and energetic cross-examinations levelled at them."

Mr Burger said Mvula was dishonest and his evidence false. Some of Mvula's claims, together with his allegations about Major R L Swart of the security police, were, "to say the least, pathetic". As far as the court was concerned, Major Swart's evidence was beyond reproach.

Mr Burger said Bogwana's evidence was unreliable. There was no reason why the State's witnesses should have tried to implicate him, as he claimed, because they hardly knew him.

Mr Veldhuizen asked the court to keep in mind that Bogwana had played a minor rôle in the incident, and that Mvula was a young man who would probably learn to be a more responsible member of the community as he grew older.

Mr Burger agreed that Bogwana played a minor rôle and said he had no intention of sentencing Bogwana to more than the minimum sentence of five years. But, Mr Burger said, he wanted to point out to the two youths that the law givers had had a reason for deciding on a minimum sentence of five years.

"It is a serious offence you have committed. We all have frustrations. No-one lives in a Utopia. But it is senseless to attack the buildings erected for the children of your people."

Mr Burger placed on record that two of the State witnesses were exempt from prosecution as accomplices because they had given evidence honestly and straightforwardly. The third State witness was found to have been unreliable.

Leave to appeal will be noted for both youths, and an application for bail will be made for Bogwana.

Mr J Vermaak prosecuted.

Probe on court 'abuse' worries Dalling

ARGUS
15/5/78
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The Argus Political
Correspondent

THE decision of the Minister of Justice, Mr J.T. Kruger, to investigate the 'abuse' of security cases in court could be the precursor to a clampdown on Court procedures, Mr Dave Dalling MP warned today.

Mr Dalling (PFP Sandton), justice spokesman for the official Opposition, said he feared also that such a clampdown would further affect people's rights to freedom of assembly.

Through these comments, Mr Dalling was voicing mounting concern in Opposition quarters at the steps being contemplated by Mr Kruger and what their effects would be on South Africa's system of justice.

FIVE ASPECTS

Mr Kruger mentioned five aspects he saw as problems surrounding security cases. These were the use of delaying tactics, demonstrations in and near courts, intimidation of witnesses, the frequent appearance of certain advocates and attorneys in security proceedings, and the enormous amounts of money available to accused in these cases.

Mr Dalling said he felt a cold shiver run down his spine when he heard the Minister say he would look into these matters during the next parliamentary recess.

'A PRELUDE'

'I can just see this as a prelude to the introduction of legislation next session,' he said.

Mr Dalling's concern was also voiced by the New Republic Party's justice spokesman, Mr John Malcomess.

Both opposition spokesmen agreed with Mr Kruger that steps should be taken against the intimidation of witnesses and to prevent demonstrations in court, but were concerned at his other projected moves.

Mr Malcomess said: 'I really cannot see anything wrong with the fact that certain advocates or attorneys take many of these cases. If they get a reputation for defending accused in these sort of cases, then they will be briefed for further cases. They become specialists in the security laws.'

ARROGANT

He thought it arrogant of Mr Kruger to suggest there was anything wrong with this.

Sapa reports that the Johannesburg Bar Council will send a telegram to Mr Kruger today asking for details of his allegation that unnamed lawyers are undermining the legal system.

Libya paid salaries to terror recruits — claim

BETHAL. — The Libyan government paid Pan African Congress recruits while they received military training at a camp at Bengashi, a witness said yesterday.

The witness said that he and an accused man in a Terrorism Act trial, Mr Jerome Kodisang, 26, of Soweto, and four others were in a group of 56 who received military training in Libya between September 1975 to February 1976.

Eighteen alleged members of PAC are appearing on two charges.

During this period, 200 other recruits from South Africa and Thailand were at the camp.

They were taught to use FN rifles, .38 revolvers, mortars, hand grenades and rocket launchers, he said.

At the end of their stay in Libya, a PAC leader called Ntalintali, visited the camp. The recruits told him they were dissatisfied with the training.

The witness said Ntalintali promised they would receive further training in Ghana and Nigeria.

After training in Libya he and the others were sent to Uganda and then Tanzania, Zambia and eventually Botswana.

In Botswana, he said, the group would have sought political asylum if they could have remained in the country.

They stayed at the refugee camp in Botswana and each received about R20 a month from the Botswana Council of Churches, the witness said.

The trial continues. — Sapa.

ARGUS 2331
16/5/78

Girl, 13, tells of Guguletu rampage

From a Staff Reporter

HERMANUS. — A frail-looking 13-year-old Guguletu schoolgirl today described how a group of schoolchildren and teenagers went on a rampage through the township on October 31 last year.

The girl was warned as an accomplice before giving evidence in the Regional Court, Hermanus, at the trial of Lawrence F. Mvula, 18; Boy Makana, 18, and two 17-year-old youths who face a charge of public violence.

The charge arises from stone-throwing incidents in Guguletu in which three motor vehicles, three houses and a milk delivery bicycle were damaged.

IN CAMERA

The public prosecutor, Mr J Vermaak, applied for the court to be held in camera when certain witnesses were called. The magistrate, Mr P J le Roux, granted the application.

The girl told the court that on Monday October 31, Mr Mvula and one of the accused youths came to the school she attended and rang the school bell. They told the children to get out of school but the children did not obey.

Later Mr Mvula and the accused youth returned with children from another school and some children from her school joined in.

BOOKS AT HOME

The witness said she joined the group after leaving her schoolbooks at home.

The girl denied throwing any stones herself but described how Mr Mvula, Mr Makana and one accused youth participated in stone-throwing incidents involving lorries, a milkman, a bakery van and three houses where they thought liquor was sold.

She said she had accompanied the group to see what was happening.

Earlier in the hearing, the court refused an application from Mr R McDougall for the defence that two accused prisoners be allowed to appear without leg-irons.

Mr McDougall is instructed by Mallinck, Ress, Richman and Company.

(Proceeding)



Dugard warning on Kruger claim

By PATRICK LAURENCE
Deputy Political Editor

ACCUSATIONS against unnamed lawyers by the Minister of Justice, Mr J T Kruger, could aggravate the current shortage of lawyers willing to serve in political trials, Professor John Dugard, of the University of the Witwatersrand, said yesterday.

Prof Dugard was commenting on allegations by Mr Kruger that lawyers who served frequently in political trials identified with the aims of people seeking to undermine the legal system.

"There is a relative scarcity of lawyers prepared and able to serve as defence counsel in security trials, particularly as far as attorneys are concerned," Prof Dugard said.

"In Johannesburg there are probably not more than four or five such attorneys. It is not so bad at the advocate level. I would put the list at a maximum of 20."

It was not enough for lawyers — attorneys or advocates — to be willing to serve in security trials, Prof Dugard said. Just as a man facing serious tax problems needed a specialist, so did a man facing serious political charges.

There were a limited number of such legal specialists which explained why the same lawyers appeared frequently.

Professor A S Mathews, Dean of Law at the University of Natal, said it seemed very hard to get lawyers to act in political cases, and referred to dif-

ficulties experienced by the instructing attorney in the Pretoria Saso trial of 1976-1977.

In response to an inquiry yesterday, the instructing attorney said: "I had a list of 54 advocates who were either not available or unwilling to take the case."

A Johannesburg advocate who has appeared for the defence in several political trials said yesterday: "Mr Kruger's statement is likely to create an atmosphere of intimidation."

The Johannesburg Bar Council yesterday sent a telegram to Mr Kruger asking for details on his allegations.

Mr Kruger declined to comment "at this stage"

on whether he would provide the council with the requested details, including names of the lawyers.

Transvaal Law Society Secretary Mr P J Erasmus, said yesterday:

"We are not aware of any complaint."

"I am not aware of any lack of attorneys prepared to undertake this kind of mandate. We would take it amiss if an attorney refused to do so without good reason."

In his statement in Parliament, Mr Kruger disclosed that there were 66 Terror Act cases before the courts, with 111 prospective State witnesses for these trials in protective detention. There were 95 security trials last year, according to the Institute of Race Relations.

SP men deny ordeal claim by witness

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16/5/78

R.D.M.

Own Correspondent

MARITZBURG. — Two Security policemen denied yesterday that they had any knowledge of ill-treatment of a witness testifying in a trial here.

The two policemen were giving evidence in the Supreme Court, Maritzburg, at the trial of Mr Vusumuzi Lucas Mbatha, 23, a high school teacher from the Mondlo district.

Mr Mbatha has pleaded not guilty to two charges under the Terrorism Act and two under the Internal Security Act.

The policemen were being questioned by Mr Moerane for Mr Mbatha, on a claim by the main State witness that he had been forced to stand for four or five hours with stones in his shoes, and that he was kept awake all night.

Warrant Officer J Brase told Mr Justice Thirion he knew of no occasion when the witness was mistreated.

At one stage the witness was given alcohol, but this was at his own request.

Detective Warrant Officer J D Potgieter told the court that he had no knowledge of any ill-treatment of State witnesses or of Mr Mbatha.

After the State closed its case yesterday, Mr Moerane applied for a two-day adjournment to prepare the defence.

The main State witness said that in February last year Mr Mbatha asked him to join a Marxist movement, the "People's Organisation Front for the Liberation of South African Blacks."

The case was adjourned to Thursday.

Appeal on jail plight begins

16/5/78
33

BLOEMFONTEIN — The appeal court yesterday heard an appeal by eight "political" prisoners against a judgment of the Transvaal Supreme Court that no case had been made in their application for an order entitling them to receive newspapers, magazines and journals, receive and write uncensored letters, and have unrestricted conversations during visits.

The men, Denis Goldberg, Ian Kitson, John Matthews, Alexander Moumbaris, Raymond Suttner, David Rabkin, Jeremy Cronin and Charles Holiday had sought the order against the Minister of Prisons, the Commissioner of Prisons and the officer commanding Pretoria Prison.

Mr Justice Curlewis found then no case had been made out that the commissioner had exercised his discretion in a way that would justify interference. He said when he saw the amenities and facilities the men did enjoy he could only say they were well-off and for

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fortunate that they were incarcerated in South Africa.

The appeal now is being heard by the Acting Chief Justice, Mr Justice Wessels, sitting with Mr Justice Trollip, Mr Justice Corbett, Mr Justice Hofmeyr and Mr Justice Joubert.

At the start of the appeal, a petition was handed in on developments since the hearing in the Supreme Court. The petition was accompanied by supporting affirmations by Mr Goldberg and Mr Cronin which gave details of new regulations regarding study facilities and radio broadcasts.

Mr S. Kentridge SC, said alterations in the conditions of imprisonment were brought to the attention of the Appeal Court as they might throw light on the attitude of the respondents in their affidavits in the lower court.

There, they had contended that in the matters complained of, prisoners had no rights, only privileges, and therefore they had no locus standi to approach the court and that, in any event, the treatment described had been lawfully prescribed by the Commissioner of Prisons.

Mr Kentridge said the appellants disputed these contentions and submitted that the purported exercise of the commissioner's discretion had been grossly unreasonable, unlawful and ultra vires.

The appeal continues today. — SAPA.

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Detainee was mentally ill court told

GRAHAMSTOWN — After examining an 18-year-old woman detained in solitary confinement at the Mdantsane police station, a doctor recommended she see a psychiatrist, the Supreme Court heard here yesterday.

Dr N. Jekwa, part-time district surgeon, was giving evidence at the trial of 13 teenagers charged with murdering Sgt Msebenzi Mtintsi and Const Lionel Mrazi, alternatively public violence, at an Mdantsane bus terminus on September 25 last year.

All have pleaded not guilty before Mr Justice Cloete.

Dr Jekwa was called to give evidence at a special hearing within a hearing to determine the validity of statements made by the accused to the police.

Dr Jekwa said he treated Miss Lumka Nyamza twice last October.

The first time was when Miss Nyamza was taken to

Frere Hospital by Security Police. She complained of general body pains.

Dr Jekwa said he did not remember Miss Nyamza alleging she had been beaten up by the Security Police, but he might have noted it in his records.

Miss Nyamza complained of mental disturbances, blackouts, fits, bewitchment and problems with her menses when Dr Jekwa next saw her in the Mdantsane police cells. He said he did not find any physical cause of the complaints.

"It is possible that her mental condition could have been produced by her solitary confinement.

"I felt that she definitely should see a psychiatrist and recommended that she should see one. I gave the recommendation to the station commander of Mdantsane," Dr Jekwa said.

Mr Justice Cloete ordered that the record of Miss Nyamza's visit to Frere Hospital be brought before the court.

Eight of the 11 young men and two young women accused are under 18 and their names may not be published. The others are Ntsekelelo Vellum, Andile Jele, Mzuphela Ngwane, Xoliswa Zeppe, all 19, and Lumka Nyamza, 18.

The special hearing continues today. — DDC.

Kruger allegations: Legal profession requests details

Cape Times
16/5/78
331

ALLEGATIONS by the Minister of Justice, Mr J T Kruger, that some lawyers have used delaying tactics in security cases, have taken the legal profession by surprise and brought requests for further details.

The president of the Cape Bar Council, Mr R M Marais, said yesterday the council had no knowledge of any such abuse by any member of the Cape Bar.

"If the minister has any information which suggests the contrary I would expect him to submit it to me and I will have it investigated. If any member of the Cape Bar has abused his position in the manner which the minister alleges, the Cape Bar Council will take an extremely serious view of the matter," Mr Marais said.

Legal spokesmen throughout the Republic supported this view. Mr J Coaker, SC, chairman of the Johannesburg Bar Council, has sent an urgent telegram to Mr Kruger asking for more information.

The fear in legal circles is that the minister's allegations may discourage lawyers from defending the accused in security trials.

The chairman of the

Association of Law Societies, Mr F P van der Merwe, said he hoped this would not be the case, and said it was the professional duty of lawyers to appear for the accused, no matter how serious the crime.

In Durban, Mr D J Shaw, QC, chairman of the General Council of the Bar of South Africa, said the council strongly opposed any measure that would give the impression that the rights of an accused person to a full defence were being limited in any way.

"The conduct of a trial in the Supreme Court is regulated by the presiding judge and if proceedings are being abused he has the right to ensure that the abuse is stopped," Mr Shaw said.

Professor John Dugard, of the University of the Witwatersrand, said yesterday that the accusations might aggravate the already existing shortage of lawyers able and willing to serve in political trials.

Professor Dugard said there

was a relative scarcity of lawyers prepared and able to serve as defence counsel in security trials, particularly as far as attorneys were concerned.

"In Johannesburg there are probably not more than four or five attorneys. It is not so bad at the advocate level, where I would put the list at a maximum of 20."

It was not enough for lawyers, whether attorneys or advocates, to be willing to serve in security trials, Professor Dugard added.

Just as a man facing serious tax problems needs the advice of a specialist, so, too, a man facing serious political charges needed the services of a specialist.

There were a limited number of specialists in political trials, which explained why the same lawyers tended to appear frequently in political trials.

Professor Dugard said Mr Kruger's statement was likely to dissuade lawyers from specializing in political trials and thus add to the shortage.

NM 16/5/78

Cell torture claim denied

(331)

Mercury Reporter

PIETERMARITZBURG — Two Security Policemen said yesterday that they had no knowledge of ill-treatment of witnesses in the terrorism trial here.

The policemen were giving evidence in the Supreme Court in the trial of Mr. Vusumuzi Lucas Mbatha (23), a high school teacher from the Mondlo district near Nqutu.

Mr. Mbatha has pleaded

not guilty to two charges under the Terrorism Act and two under the Internal Security Act.

The policemen were being questioned by Mr. M. Moerane, for Mr. Mbatha, on an allegation by the main State witness that he had been forced to stand for four or five hours with stones in his shoes, and that he had been kept awake all night.

Warrant Officer J. Brase, who is stationed at Vryheid,

told Mr. Justice Thirion and two assessors that he had interrogated the witness but he knew of no occasion when he had been mistreated.

The witness may not be named, in terms of an order granted by Mr. Justice Thirion at the beginning of the trial.

Alcohol

Warrant Officer Brase admitted that at one stage the witness was given alcohol, but said it was at his own request. He said he has paid for the alcohol himself.

The investigating officer, Detective Warrant Officer J. D. Potgieter, also told the Court that he had no knowledge of any ill-treatment of State witness or of Mr. Mbatha.

After the State closed its case yesterday Mr. Moerane applied for a two-day adjournment to prepare the defence.

During the trial the main State witness told the Court that in February last year Mr. Mbatha approached him and asked him to join a Marxist movement, the "People's Organisation Front for the Liberation of South African Blacks".

Failed

The witness said Mr. Mbatha gave him some literature to read, including a publication called Sechaba, the official organ of the ANC.

He said Mr. Mbatha also told him he should recruit a "group" of three or four people, who would eventually be sent out of the country to

receive military training. They would then return and fight to overthrow the South African Government.

The witness said he was unsuccessful in recruiting anyone for the organisation.

Several of Mr. Mbatha's ex-pupils, who gave evidence for the State, said Mr. Mbatha had tried to organise a school tour of Swaziland. He allegedly said that during the tour those pupils who wished could leave Swaziland and go abroad for military training.

Mr. Mbatha also allegedly described to his pupils how to make a petrol bomb. He attacked the present Government of the country as oppressive and discriminatory and he advised the pupils to listen to the "true" news broadcasts on Radio Mozambique.

The hearing was adjourned to Thursday. Mr. Peter Rowan is appearing for the State.

Police came at 5am — girl, 13

Cape Times 17/5/78

Staff Reporter

② 331

HERMANUS. — A Guguletu schoolgirl of 13 told the Regional Court here yesterday how policemen took her from home at 5am on November 1 last year.

The girl, who spent five hours giving evidence and who was allowed to sit on a stool so that she could see over the sides of the witness-box properly, was a State witness in the trial of Lawrence Mvula, 18, Boy Makana, 18, and two youths. The four are all charged with public violence.

The charge arises from stone-throwing incidents in Guguletu on October 31, 1977. During the incidents three motor vehicles, three houses and a bicycle were damaged.

The girl told the court that on October 31 Mr Mvula and one of the youths told the students in her class to leave school and go out to the streets. Mr Mvula and the youths then summoned children from other schools and led them in stone-throwing attacks on a baker van and other lorries. Mr Mvula and the youths also took milk from a milkman's bicycle and stoned the windows of houses they had searched for liquor.

The girl said that Mr

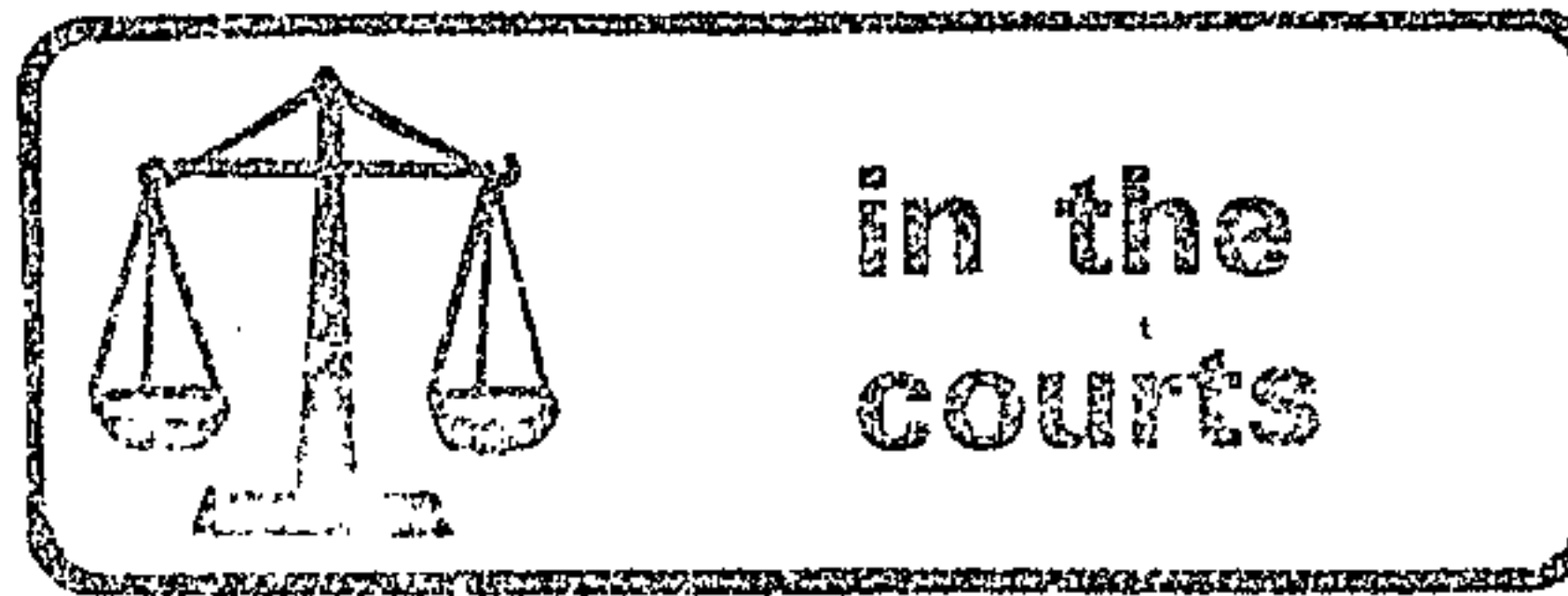
Mvula, one of the youths and Mr Makana also stopped a bus and threw bricks at its windows.

Cross-examined by Mr R McDougall, for the defence, the girl said she was scared of the police. Asked which particular policemen she was

her in any way.

She said she had joined the students out of curiosity.

A second Guguletu schoolgirl, aged 15, said that on October 31 she saw one of the youths chasing students out of school. She said she did not see him taking milk or



frightened of, she said "all police are the same."

She said she was detained on the day after the incidents at 5am by "white" and "black" policemen. They took her from her bed to a police station "in the city". There she was told to pick out, from a group of people, those who took part in the incident.

She was released the same day, she said. She denied that a policeman held her by the neck and shook her or that the police physically pressured

going into any houses, nor did she see any of the other accused.

Earlier in the proceedings, Mr McDougall asked the court to order that two of the accused need not come to court in leg irons. He said it was "abhorrent" and should not be tolerated by the court.

The magistrate, Mr P J le Roux, said the court was not prepared to make such an order.

Mr McDougall is instructed by Maltinick, Ross, Richman and Company.

Youth tells court of screams

ARGUS
18/5/78

(1) ~~2~~
(2) 331

From a Staff Reporter

HERMANUS. — An accused youth today described how a Guguletu woman screamed when a group of scholars threatened to burn down her house if she refused to open the door.

Lawrence F Mvula, 18, one of four accused in the Hermanus Regional Court facing a charge of public violence, was giving evidence in his defence.

The charge is a sequel to stone-throwing incidents in Guguletu where vehicles, houses and a bicycle were damaged in October last year.

Mr Mvula denied that he had participated in an incident where a milk delivery bicycle was overturned and the milk consumed or poured on to the road.

He said he was at home on October 31 when he heard a noise and went to investigate.

A CROWD

He saw a crowd and climbed on to a fence above their heads to see what was happening. He saw a house being stoned.

At a second house he heard two teenagers demand that the woman inside should unlock the

door. When she refused they threatened to set her house alight. She screamed.

Mr Mvula said he went to the window of the house to see her and while standing there a brick was thrown by someone and he cut his wrist on the broken glass. He went home to have it treated and did not return to the group, he said.

THE RAMPAGE

One of the two accused youths facing the charge denied that he had anything to do with the incidents. He denied attending a meeting at Mr Mvula's house on the Sunday prior to the rampage.

He refused to join them but followed the stone-throwing group at a distance to see what they were doing, he said.

Mr P J le Roux is on the Bench. Mr J Vermaak is appearing for the State. Mr R McDougall, instructed by Mallinck, Ross, Richman and Company, is appearing for the defence.

Policemen's death: New turn in trial

(1) ~~331~~ (2) 331
Cape Times 18/5/78

PORT ELIZABETH. — Ten of the 13 Mdantsane teenagers on trial in the Supreme Court, Grahamstown, for the murder of two policemen yesterday pleaded guilty to the alternative charge of public violence.

Two others pleaded guilty to theft and attempted theft.

The pleas were accepted by the court, which found the teenagers guilty as pleaded.

They had originally pleaded not guilty to both the murder and the public violence charges. Sentence will probably be delivered later this week.

The 13th teenager stood by his original plea of not guilty to both charges. He was discharged after the State

conceded it had not made out a case against him.

The charge of murdering the two policemen, Constable Msebenzi Mtintsi and Constable Lionel Mrazi, at a Mdantsane bus terminus after the Biko funeral last year, now falls away.

The State had alleged that the teenagers stoned and assaulted the two men, pushing Constable Mtintsi under a moving bus.

Yesterday's move, on the 10th day of the trial, came after discussions between Mr B Kies, for the teenagers, and prosecutor Mr W O Jurgens, when they agreed that the pleas be changed.

Of the 10 teenagers convicted of public violence, five admitted stoning the constables. This assault forms part of the public violence charge.

The five are: Mzuphela Ngwanr, 19, Xoliswa Zeppe, 19, and three youths under 18 years. The five, and Andile Jele 19, Lunka Nyamza, 18, and two sixteen-year-old youths, also admitted stoning buildings at the terminus.

The 10th, a seventeen-year-old youth, admitted stealing cool drinks from a shop damaged by the stonings. A fourteen-year-old boy arrested inside the shop was convicted of attempted theft.

Insekelelo Vellem, 19, convicted of theft, was arrested outside the shop with cartons of cigarettes.

Mr Justice Cloete, sitting without his assessors in a trial within a trial, this week heard evidence on the admissibility of statements made to police by the teenagers. It was claimed that the statements were made after the teenagers had been assaulted.

'PAC

RDm 14/5/78

plan for (331), nurses'

BETHAL. — Some girls in the group of young blacks smuggled into Swaziland by Pan-Africanist Congress members would have been sent to China for training in nursing, a witness told the PAC trial in Bethal yesterday.

Eighteen men are appearing on charges under the Terrorism Act.

The witness said he and Mr John Ganya, 48, one of the accused, and a Dr Naeboth Ntshuntsha, recruited members for the PAC who were prepared to receive military training in Tanzania.

Two other accused, Mr Michael Khala, 24, from Soweto and Mr Alfred Ntshali-Tshali, 47, of Manzini, Swaziland, helped him smuggle the recruits from Johannesburg to Swaziland.

They were then taken to the home of a Manzini PAC leader, Mr Joe Mkwana, the witness said.

The trial continues. — Sapa.

Cape Times 19/5/78

2331

news in brief

Salutes after sentence

PORT ELIZABETH. — Black power salutes were given in the Supreme Court, Grahamstown, yesterday by some of the 10 Mdantsane teenagers when they left the dock after being sentenced for public violence.

Of the 13 teenagers accused of the murder of two policemen after the Biko funeral in September last year, ten pleaded guilty to the alternative charge of public violence, one to theft and one to attempted theft. The thirteenth was discharged.

The State dropped the murder charge after the revised pleas.

Five accused admitted stoning the two policemen at a Mdantsane bus terminus.

Two — Miss Xoliswa Zeppe and Mzuphela Ngwane, both 19 — were given seven years, with two years suspended for five years. A youth of 15 and two 16-year-olds were given four years with two years suspended.

Inhlonzo yomncwabo efundisi M.T.L. Moletsane, ekunye

no Mfundisi S.S. Masingana,

Ukufundwa kwemagama abantu abathumale dinseango kunye nemiyalezo yovelwano. Abantu bafunde abantu abalwa, yona iriyalezo yeyamaMpinga kuphela.

3. EMANCIPATION: Kumanqondweni ubizo abantu abalwa, yona

abantu jikelele.

528 - 33

PHILIP NGUYENH: Kumanqondweni ubizo abantu abalwa, yona

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to Stipend Appeal

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GENERAL FUND:

PAYMENTS

Mercury Reporter

PIETERMARITZBURG

A young Nqutu high school teacher was found not guilty yesterday on one of the four charges he is facing in the terrorism trial in the Supreme Court here.

Mr. Vusumuzi Lucas Mbatha (23), was facing two charges under the Internal Security Act and two under the Terrorism Act.

He pleaded not guilty to all four charges.

Before opening the case for the Defence yesterday, Mr. M. Moerane, for Mr. Mbatha, applied to Mr. Justice Thirion and the two assessors for his discharge on all four counts against Mr. Mbatha.

Referring to the allegation that Mr. Mbatha had distributed Sechaba, a banned

19/5/78

(351)

Terrorism trial teacher freed on one charge

publication, Mr. Moerane said there was no evidence to support a conviction.

No evidence had been led that the publication was banned under the International Security Act.

On the other charge under the Internal Security Act, which alleged Mr. Mbatha was a member of the "People's Organisation for the Liberation of South

African Blacks," and that he tried to recruit members for the organisation, Mr. Moerane said there was doubt if the organisation existed at all.

The allegation that Mr. Mbatha had told his class at Mvuzini high school how to make petrol bombs on "completely confused" evidence.

Opposing the application, Mr. Peter Rowan, for the

State, said there was no substance in any of Mr. Moerane's submissions.

State witnesses had been stretching their minds back 18 months, and to events which occurred on different occasions.

It would seem strange and somewhat suspicious if all the State witnesses had exactly the same evidence, and the Court could reject the

argument that there were contradictions.

Ruling on the application, Mr. Justice Thirion said there was doubt whether Sechaba had ever been prohibited.

He found Mr. Mbatha not guilty on one count under the Internal Security Act, but he ruled he had a case to answer on the other count under the Act and the two Terrorism Act charges.

Defence questions girl's evidence

Cape Times
19/5/78
331

Own Correspondent

HERMANUS. — Defence advocate Mr R McDougall asked the Regional Court here yesterday not to accept the State case as it was based on the evidence of a "child of tender years and an accomplice who is also a detainee."

Mr McDougall was summing up for the defence in the trial of Lawrence Mvula, 18, Boy Makana, 18, and two youths on a charge of public violence arising from stone throwing in Guguletu on October 31. Three motor vehicles, three houses and a bicycle were damaged.

Mr McDougall said:

"The girl's powers of recognition are worthless, as the court realized when she claimed that the man who brought her to Hermanus was the public prosecutor. The accomplice is not only an accomplice, but also a detainee, a man who has been fed certain information for two months while in solitary confinement. There is such a thing as brain-washing. After a while, a man with nobody to talk to begins to repeat and believe what he hears. The court cannot convict on the testimony of such people."

Mr J Vermaak, who summed up for the State, asked the court to convict Mr Mvula and one of the youths of public violence. Mr Makana and the other youth might have been spectators.

Mr Vermaak said that Mr Mvula's story that he chased away disruptive students was a "fantastic tale". If it were true, the 13-year-old girl would have thought of him as a hero, and not testified against him. Her evidence had been corroborated by the detainee's.

Judgment is expected today.
Mr P J le Roux was on the Bench.

Accused denies giving bomb lessons

Mercury Reporter

PIETERMARITZBURG

The accused in the Terrorism Trial denied in the Supreme Court here yesterday that a planned school tour of Swaziland was camouflage for leaving the country for military training.

Mr. Vusumuzi Lucas Mbatha (23), a high school teacher from the Ngutu district, has pleaded not guilty to one count under the Internal Security Act and two under the Terrorism Act.

Another charge under the Internal Security Act has been dismissed.

Mr. Mbatha said the proposed tour was for educational and cultural purposes.

He denied the other allegations against him.

He said he had only heard the name of the "People's Organisation Front for the Liberation of South African Blacks."

He denied that he was a member of the organisation or that he had attempted to recruit for it.

Referring to an allegation that he had told his pupils how to make petrol bombs, Mr. Mbatha said the pupils had asked him what petrol bombs were, and he had said he thought the ingredients were petrol, sand and matches.

The hearing continues on Monday.

Mr. Peter Rowan appeared for the State, and Mr. M. Moerane for the defence.

Cape Times 20/5/78

Public violence: 3 years each ^{(1) 275} for two youths ^{(2) 331}

HERMANUS. — Lawrence Mvula, 18, and a 17-year-old youth were yesterday found guilty of public violence and sentenced to three years each by a regional magistrate, Mr P J le Roux.

Mr Boy Makana, 18, and another youth were acquitted.

Sentences on Mvula and the first youth will run concurrently with those both are already serving for sabotage, the court ruled. Mvula is serving 10 years for two counts of sabotage and the youth is serving five years for one count of sabotage.

The acquittal of Mr Makana and the second youth was the first in the series of sabotage and public violence trials which began here on April 17.

Mr Le Roux found that there could be no dispute that stone throwing incidents took place on October 31 last year and resulted in



a disruption of the public peace and damage to three motor vehicles, three houses and a bicycle. The only issue was, he said, whether the accused were involved in the unlawful actions.

Mr Le Roux said the defence had argued that the evidence of the State's main witnesses — a 13-year-old girl and a detained accomplice — was neither acceptable nor credible. He found their evidence acceptable.

In some respects it was not entirely satisfactory, "but what is sauce for the goose is also sauce for the gander, and the evidence of Mvula and the youth was also not satisfactory," Mr Le Roux said.

"The court, then, has carefully weighed the pros and cons for both the State and the defence, and because of the unsatisfactory evidence given by Mvula and the youth, and in view of the corroborative aspects of the evidence given by the girl and the detainee, the court is satisfied that the State evidence should be accepted."

He found that Mvula and the youth had been leaders of the student group which held a meeting at which public violence was discussed, and which chased pupils out of schools and then led them in stoning vehicles and houses.

Mr Le Roux found that the State had not proved its case against Mr Makana and the second youth.

Speaking in mitigation of sentence, defence counsel Mr R McDougall asked the court not to inflict corporal punishment and to allow sentences to run concurrently.

"Although the accused are not small children they are certainly young men and I ask the court to take this into account. I submit also that they have already been sent to jail for long enough."

Mr J Vermaak prosecuted.

Trials shook: air in it told

lawyer in a trial which lasted three hours.

• Petrus Molefe, 23, who was detained in February this year, was brought to trial last month without the knowledge of his family or legal representative. He was jailed for 15 years and, as far as his lawyer can ascertain, was not represented at all. The lawyer had advised the Security Police nine days after Mr Molefe's detention that he was representing him.

• A case of sabotage was brought against a detainee and the Security Police wrote to inform his attorney — a day before the accused came to court. The letter was only received by the attorney two weeks later — after his client had been convicted and sentenced.

Angry and frustrated lawyers who handle political cases told the Sunday Express this week that they relied almost exclusively on the prison grapevine to advise them when a Terrorism Act detainee they re-

SP blamed

presented was due to appear in court.

In most cases they learn afterwards that a Pro Deo defence lawyer appeared on his behalf. But in at least one case, said an attorney, his client had no legal representation at all. The man was given a 15-year sentence.

Invariably, the lawyers point out, the accused does not even know his wife or parents have instructed an attorney on his behalf.

"One must remember that these people are held incommunicado; they have absolutely no access to their relatives, let alone a lawyer. And then they are taken to court and charged. They are unaware that a

lawyer has been instructed to take their case and so accept the Pro Deo defence offered.

Professor John Dugard of the University of the Witwatersrand's Law School said that Pro Deo counsel was inadequate for political trials because Pro Deo lawyers did not have the appropriate qualifications.

He regarded the above cases as displaying "serious irregularities in the administration of justice" and said that in his view, a retrial would be appropriate on the grounds that the accused were not properly advised that they had the right to consult a lawyer of their own choice.

A shocked Mrs Helen Suzman, Opposition spokesman on justice, condemned them as "a complete travesty of justice" which stemmed from the Terrorism Act — "a statute which enables the police to circumvent the normal processes of law, including the right of a man to be defended by a lawyer of his own choice".

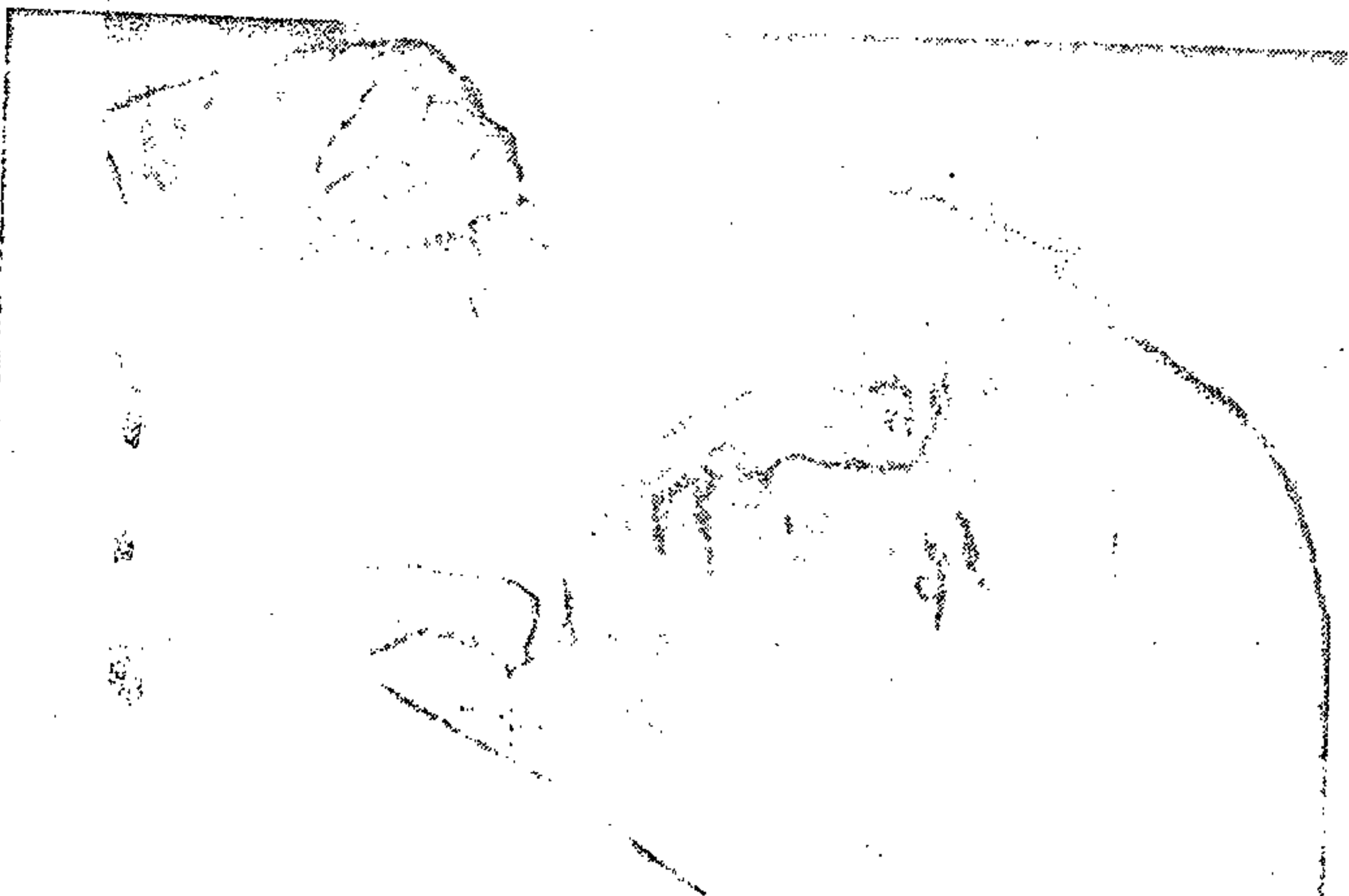
Under the new Criminal Procedure Act, intended to "speed up" such cases, the accused is questioned by a magistrate and any admissions he makes may be used as evidence against him.

An attorney told the Sunday Express: "Without a lawyer he knows, and without an understanding of the subtleties of court procedure, an accused often answers the questions in such a way that he convicts himself on the spot."

"We get absolutely no co-operation from the Security Police in our efforts to defend our clients. On the contrary, they seem to go out of their way to prevent us finding out when and where a detainee is to be charged."

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Professor John Dugard... "Pro Deo counsel inadequate."



as he was now an awaiting-trial prisoner, she could see him," the attorney said. "She learned from him of the court appearance and passed the information to me."

Some attorneys are planning to appeal against their clients' convictions and sentences.

one attorney two weeks later — after his client had been convicted and sentenced.

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"We get absolutely no co-operation from the Security Police in our efforts to defend our clients. On the contrary, they seem to go out of their way to prevent us finding out when and where a detainee is to be charged."

In the recent, marathon trial of 11 men and one woman accused of being members of the African National Congress, the attorney representing the group first heard that they had been brought to court and charged when the wife of one of the accused took her husband's fresh clothing a week later.

"She was then told that

Professor John Dugard... "Pro Deo counsel inadequate."

as he was now an awaiting-trial prisoner, she could see him," the attorney said. "She learned from him of the court appearance and passed the information to me."

Some attorneys are planning to appeal against their clients' convictions and sentences where trial and conviction took place without their knowledge.

And Professor Dugard said: "I trust that these irregularities will be set aside by the Appellate Division."

Attorneys also sometimes learn of pending cases involving their clients from items in newspapers — of-

ten only one paragraph — which report that a particular detainee appeared in court for remand.

"This happened in Maritzburg recently," an attorney said. "A legal firm there picked up a small item in the local paper and notified us that three of our clients had been remanded."

"We rushed down for the trial and found a Pro Deo lawyer had been appointed. He advised us to enter pleas of guilty as, he said, the three were obviously guilty."

"We defended the charges, which were under the Terrorism Act, and two of the three were acquitted."

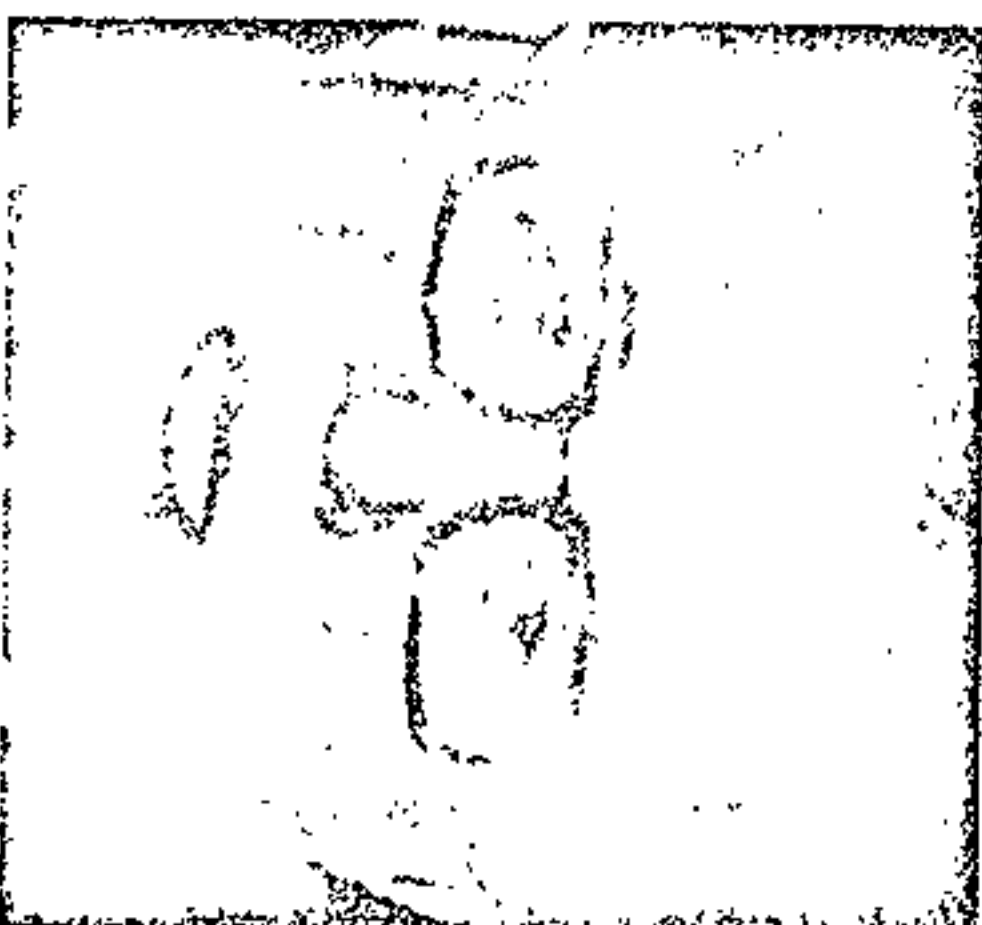
Inter-Justice Court Rules?

culty preparing cases in the time the State allocates.

In the recent African National Congress trial in Pretoria, the State wanted to proceed with the trial only three weeks after the defence had been provided with the indictment. There were 79 different charges. The defence obtained a postponement of the trial date on the grounds that they had had no time to prepare their case and the postponement was subsequently prolonged by the death of the judge hearing the case and the appointment of another.

In the case against 13 members of the South African Students' Organisation (Saso), which lasted two years, the defence called for several adjournments.

Two were to obtain further information about the charges (which were altered or added to at least twice), one was to enable the instructing attorney to find an advocate prepared to take the case — 54 had turned him down — and another was for the court to



Mr Jimmy Kruger... lawyers angry

new indictment against the remaining nine. A lawyer who handled the trial pointed out that the charges covered activities dating back to 1968.

Lawyers also blamed delays on the procedure of summary trials, introduced in 1963 and applied particularly to political cases.

In the old days, when you had a preparatory examination in a political case, both sides ran through their evidence and you had an idea of what State evidence would be led so you could prepare accordingly."

consult our clients." The Sunday Express was told of other cases, mostly involving lesser offences such as sabotage and arson, in which the State provided the defence with a copy of the charges only days before the hearing.

One lawyer described how he and an advocate "literally drove around the country" trying to get a copy of the charges against their clients.

"We searched from October last year to February this year for that indictment. We were sent from pillar to post and when we finally found out what our clients were being charged with we were given two weeks to prepare our case."

In the Nusas case a few years ago, when several white men were charged under the Suppression of Communism Act in a trial which lasted a year, the postponements and adjournments were almost always because the State witnesses did not arrive on the appointed day, according to the lawyer who handled the case

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the case and the appointment of another.

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Two were to obtain further information about the charges (which were altered or added to at least twice), one was to enable the instructing attorney to find an advocate prepared to take the case — 54 had turned him down — and another was for the court to consider an application to quash charges.

As a result of the last, charges were dropped completely against two of the accused, while two others had their trials separated.

The State then produced a

new indictment against the remaining nine. A lawyer who handled the trial pointed out that the charges covered activities dating back to 1968.

Lawyers also blamed delays on the procedure of summary trials, introduced in 1963 and applied particularly to political cases.

"In the old days, when you had a preparatory examination in a political case, both sides ran through their evidence and you had an idea of what State evidence would be led so you could prepare accordingly," said an advocate.

"With summary trials, the State often produces armies of witnesses whose evidence is a complete surprise to us and we have to ask for adjournments to

ment. We were sent from pillar to post and when we finally found out what our clients were being charged with we were given two weeks to prepare our case."

In the Nusas case a few years ago, when several White men were charged under the Suppression of Communism Act in a trial which lasted a year, the postponements and adjournments were almost always because the State witnesses did not arrive on the appointed day, according to the lawyer who handled the case.

He described how the defence would arrive promptly at 9am, while the case would start sometimes an hour later because "the prosecutor was held up".

Lawyers pointed out that while they were often expected to prepare a complex case in a matter of weeks, the accused had usually been detained for months, during which time the Security Police had access to them all the time.

Defence attorneys are only allowed to consult their clients at specified times — and then only after they have appeared in court.

Many said these early interviews were useless:

"Neither we nor they have any idea what crimes they are supposed to have committed until we get the indictment."

In many cases the accused made several appearances for remand before a charge sheet was made available to the defence.



○ "Demonstrations in and near courtrooms, people chanting songs and waving their fists, have become a regular feature at security cases and receive wide coverage." — Mr J T Kruger, Minister of Justice.

23/5/78 N.M. (331)

Defence closes case

Mercury Reporter

PIETERMARITZBURG —

The defence case in the terrorism trial at the College Road Supreme Court here was closed yesterday.

Mr. Vusumuzi Lucas Mbatha (23), a high school teacher from the Nqutu district, is facing one charge under the Internal Security Act and two under the Terrorism Act.

He has pleaded not guilty to all three charges.

When he gave evidence last week Mr. Mbatha said a proposed school tour of Swaziland was for educational and cultural purposes only.

He denied a State allegation that the tour had been planned to enable some of the pupils to leave the country for military training.

Mr. Mbatha also denied all the other allegations against him.

The defence closed its case after Mr. Mbatha's sister, Miss Nonhlanhla Mbatha (20), had given evidence.

Mr. Justice Thirion adjourned the trial to tomorrow when he will hear argument from Mr. Peter Rowan, for the State, and Mr. M. Moerane, for the defence.

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WEDNESDAY

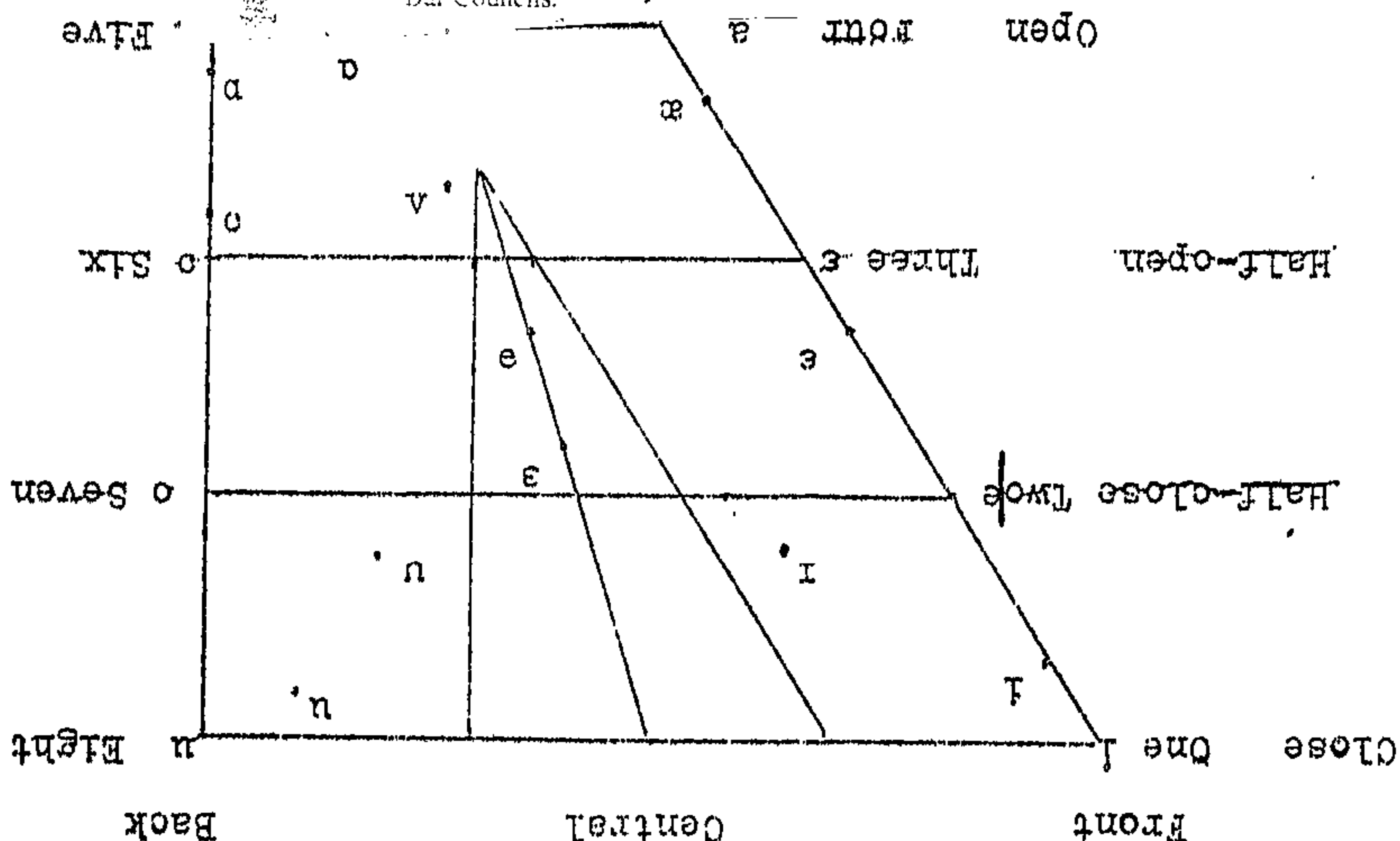
Legal system abused in course of trials of security cases

10. Mr. H. SUZMAN asked the Minister of Justice:

Whether he had at any time prior to 12 May 1978 informed the bar councils concerned that certain of their members had abused the legal system in the course of trials of security cases; if so, (a) when and (b) with what result; if not, why not.

The MINISTER OF INDIAN AFFAIRS (for the Minister of Justice):

No, I was and still am of the opinion that the problem referred to in my statement of 12 May 1978 can only be appreciated and dealt with as a whole. As I have said, I will consider all aspects of the matter during the coming recess and will probably then also consult with the chairmen of the various Bar Councils.



A diagrammatic representation of the approximate tongue positions of average Standard English vowels compared with the tongue positions of the cardinal vowels.

PHONETICS

7 youths guilty of arson at schools

Cape Times 24/5/78
De 78
(2) 331

GRAAFF-REINET. — Seven youths were found guilty in the Regional Court here yesterday of setting fire to two schools in Graaff-Reinet's black township in March-April this year.

Similar charges against two other youths were withdrawn by the State.

Those found guilty were Desmond Elias, 18, who had pleaded guilty to a charge of arson arising from a fire at the Nqweba High School on March 23. He pleaded not guilty to a second charge of attempted arson at the same school on March 25.

Elias was found guilty on the first charge and sentenced to 2½ years.

Enoch Douglas Blom and Monwabisi Wilfred Blom, both aged 18, pleaded guilty to a charge of arson and another of attempted arson. Enoch Blom was given an 18-month joint sentence and Monwabisi Blom was sentenced to six cuts after being found guilty on both charges.

Six cuts

The Bloms appeared in connection with a fire at the Nqweba High School and a further attempt to set fire to the same school two days later.

A 17-year-old youth, who may not be named, was given a two-year jail sentence after also being found guilty of arson at the high school on March 23.

A further three youths, all under 18, pleaded guilty to two counts of arson and to alternative charges of malicious damage to property. They were found guilty of setting fire to the Nqweba Primary School and to items of furniture in the school.

One of the youths, aged 15, was sentenced to six cuts after the charges had been taken together for the purpose of sentence. The other two, aged 16 and 17, were sentenced to three months on each of the charges. — Sapa

State withdraws sabotage charge

ARGUS 26/5/78 (1) 275 (2) 331

IN the Cape Town Regional Court today the State withdrew its sabotage charge against four students from Guguletu and Nyanga.

They were Joseph Mxolisi Pantshwa, 22, Lawrence Fezile Mvula, 18, Mr Mzolisi Psiya, 18, and a 17-year-old youth. No addresses were given.

The State had alleged they were guilty of sabotage or, alternatively, public violence, in that they set fire to a house in NY 134, Guguletu, on September 12 last year, and threw stones, bricks, or objects unknown to the prosecutor at a house in NY 100, Guguletu, on the same day.

Today Mr F Silbert, for the State, said the Attorney-General had instructed him to withdraw the charge.

RELEASED

Mr Psiya and the youth were released from the cells at the magistrate's court shortly after 10 am.

But Mvula, who was not present at today's hearing, is already serving a prison term on Robben Island.

Earlier this month he was convicted in the Hermanus Regional Court on two separate charges of sabotage. He was sentenced to five years on each of the charges.

On April 27 Pantshwa was also convicted in the Hermanus Regional Court of sabotage and sentenced to five years. He was granted leave to appeal against the sentence, and R1 000 bail was fixed pending the outcome of today's hearing.

BAIL

Today Miss P Kriger, for Pantshwa, asked that he should be released on bail since the charge had been withdrawn. She said the money was available.

The application was granted.

A condition of Pantshwa's release is that he must report to the Guguletu police daily, and not leave the Langa, Nyanga and

Guguletu area without the permission of the police.

He was expected to be released from Pollsmoor Prison later today.

Mr P J le Roux was on the Bench. Mr M Salber appeared for Psiya, Mvula and the youth.

Cold comfort at PAC trial

BETHAL.—Mr Justice Curlew, presiding in the Pan-Africanist Congress trial in Bethal, adjourned the trial yesterday because he said it was too cold in the court building for him to work.

"I am adjourning the hearing until Monday morning. If the bureaucrats have not given attention to the matter by then, I will again postpone the hearing," he said.

It was so cold he was hardly able to write.

"It is not only my hand which shakes from the cold, but my whole arm. I have put up with it as long as I could, but now I have had enough," Mr Justice Curlew said.

He then adjourned the hearing, saying the matter did not concern the Chief Magistrate of Bethal.

Meanwhile Professor J A Plomp, the leading psychiatrist at Weskoppies Mental Institution near Pretoria arrived in Bethal on Wednesday to examine one of the 18 accused, Mr John Ganya, 48.

His outburst in court on Tuesday caused an early adjournment. The results of his examination will be made known later.—Sapa.

DD 26/5/78
**Judge in
PAC trial** (33)

too cold

BETHAL — The judge in the PAC trial, Mr Justice Curlewis, adjourned the hearing here yesterday because he said it was too cold in the court building for him to work.

"I am adjourning the hearing until Monday morning. If the bureaucrats have not given attention to the matter by then, I will again postpone the hearing," he said.

"It is not only my hand which shakes from the cold, but my whole arm. I have put up with it as long as I could, but now I have had enough," the judge complained.

He then adjourned the hearing, emphasising that the matter did not concern the chief magistrate of Bethal. — SAPA

Case against Helen Joseph withdrawn

Cape Times 29/5/78

Own Correspondent

2331

BLOEMFONTEIN. — The Attorney-General of the Free State has decided to withdraw a subpoena against 73-year-old Mrs Helen Joseph "on account of her age".

She was served with a second subpoena nearly three weeks after she served a two-week sentence for refusing to answer questions on an alleged visit to Mrs Winnie Mandela. She was due to appear in the Bloemfontein Magistrate's Court on Thursday.

But on Friday her attorneys were told by the senior public prosecutor in Bloemfontein, Mr J W J Steyn, that the Attorney-General, Mr M E Tucker, had decided to withdraw the subpoena.

Two other women face jail terms for refusing to answer similar questions.

NM 30/5/78

(331)

Screams at PAC trial

BETHAL — Mr. John Ganya, one of the accused in the PAC trial, was removed from court after screaming at a State witness here yesterday.

Mr. Ganya shouted that the witness was lying and was influenced by the police. He continued shouting while police removed him from court.

Last week he also shouted at a State witness, but he quieted down and the case

proceeded. A psychiatrist from Weskoppies then visited him to assess whether he understood the proceedings.

Another State witness said that on two occasions he had transported young Black men from Cape Town to Soweto. One accused, Mr. Julius Landingwe, told him the men in Soweto were to go to Swaziland for military training. — (Sapa.)

Terror Act:

Cape Times
Newsman

30/5/78

acquitted

① 229
② 331

KRUGERSDORP. — A Johannesburg journalist, Mr Enoch Duma, of the Sunday Times was acquitted in the special Circuit Court here yesterday of charges under the Terrorism and Sabotage Acts.

He was acquitted of identifying with the African National Congress (ANC) to overthrow the government and with activities concerning the Pan African Congress.

It was also not proved that he knew Aitken Ramudzuli, 24, a former teacher who appeared with him, and who had explosives in a bag in his car on two occasions last September.

Ramudzuli was found guilty of two charges of terrorism in that he identified and was a member of the ANC in attempts to overthrow the government.

The State alleged Ramudzuli joined the ANC in Botswana, where he also obtained training in the use of weapons and explosives, and then returned to South Africa.

Ramudzuli said that in Gaborone he met members of and joined the ANC, because he was told it did not discriminate between races and wanted all people to be equal.

ANC members told him there would have to be certain bombings to prepare the people for the sad days coming, Ramudzuli said.

Mr Justice F S Steyn said that in passing sentence on Ramadzuli he had to consider two things.

On the one hand he had to consider that Ramudzuli had said he was a victim of circumstances "which affect many young and foolish men" who found themselves led to their deeds.

On the other hand, the judge said, in cases like these there was the potential injury of hundreds of innocent people as well as the economic harm, which could affect all the people of the country, through the undermining of security.

Because of these considerations, he postponed sentence until this afternoon. — Sapa

SA terrorist to serve 14 years in jail

ARGUS

31/5/78

331

The Argus Correspondent

JOHANNESBURG. — Sentences for acts of terrorism should leave no room for illusions on the part of potential terrorists, a former teacher was told when he was sentenced to a total of 24 years by Mr Justice F S Steyn in the Circuit Court at Krugersdorp yesterday.

Aitken ('Duke') Ramudzuli, 24, of Dobsonville, was sentenced to 12 years on each of two charges of terrorism. He will serve 14 years as 10 years of the second sentence will run concurrently with the first.

Ramudzuli joined the African National Congress in Botswana, where he underwent terrorist training. He returned to the Republic as a revolutionary and terrorist and was arrested four months later.

He brought explosives into the country and contemplated using them.

In addition, he was responsible for bringing in foreign weapons including hand grenades and Scorpion machine pistols. He smuggled a terrorist trained in Russia and Angola into the country.

PUBLIC SAFETY

Mr Justice Steyn said every act of terrorism affected the economy and sowed a seed of tension among race groups at the expense of trust.

Terrorism also cast the shadow of death over everyone.

He said public safety was of paramount importance in crimes affecting the security of the State.

The court was aware of the number of cases heard recently and the large number of pending cases.

The safety of the public is the supreme law because the State is the guardian of the public, Mr Justice Steyn said.

He said terrorism was one of the worst crimes that could be committed in the Republic and was

aimed at the destruction of the State.

He took into account that Ramudzuli slid into terrorism because of unemployment and the influence of friends. He was caught up in a web of evil as much from stupidity as violent inclination.

Ramudzuli, he said, had an attractive personality

and was intellectually and socially gifted. He had tossed all this away.

Mr Justice Steyn said the seriousness of the crimes outweighed the mitigating factors.

He said he held the view that the supreme sentence should be passed if a terrorist was found guilty of using weapons.

Cape Times 2/6/78 (331)

Two charged with terror

TWO Mowbray men, Timothy Peter Jenkin, 29, and Stephen Bernard Manthorpe Lee, 26, charged under the Terrorism and Internal Security Acts in the Supreme Court, were yesterday remanded to June 6.

The men are alleged to have taken part in terrorist activities, and the activities of a banned organization. No evidence was led and the men were not asked to plead.

Mr Jenkin was a research worker at the Institute for Social Development at the University of the Western Cape until his arrest on March 2. Mr Lee was studying for an MA in sociology at the University of Cape Town.

Mr Justice Broekema was on the Bench. Mr T M Louw appeared for the State. Mr J D Young, instructed by O'Sullivan and Kotze, appeared for Mr Lee. Mr D Scott, instructed by Walker, Lewis, Godley and Field, appeared for Mr Jenkin.

2 city men in Terrorism Act trial

A TABLE in the No 1 courtroom of the Cape Town Supreme Court was laden with a collection of 26 timing devices for pamphlet bombs which will form part of the evidence in a Terrorism Act trial which opened today.

The courtroom was packed with spectators and at least 15 senior Security Police officers.

Appearing before Mr Acting Justice Nel and two assessors were Mr Timothy Peter Jenkin, 29, and Mr Stephen Bernard Lee, 26, both of Lesta Court, William Street, Mowbray.

They are alleged to have taken part in terrorist activities and the activities of a banned organisation in contravention of the Terrorism Act and the Internal Security Act.

Mr Jenkin, until his detention, was a research

worker at the Institute for Social Development at the University of the Western Cape. Mr Lee was studying for a master's degree in sociology at the University of Cape Town.

The well of the courtroom was crammed with scores of exhibits including pamphlets, three typewriters, a roneo machine, tool boxes, two steel trunks, several cardboard boxes, a banner and the timing devices.

Before the proceedings began, Mr Lee and Mr Jenkin chatted quietly with relatives and waved to friends in the gallery.

They appeared to be in good spirits.

Mr T Louw, for the State, called the case and then immediately applied for a postponement to tomorrow.

He said there were matters to be straightened out between the State and the defence, which had agreed to the request for a postponement.

No charges were put to the two men before Mr Acting Justice Nel remanded them to tomorrow at 10 am.

Mr A J van Nickerk and Mr W A King sat as assessors. Mr D Scott, instructed by Walker, Lewis, Godley and Field, appeared for Mr Jenkin, and Mr J Dendy Young, instructed by O'Sullivan and Kotze, for Mr Lee.

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Exhibits of devices for pamphlet bombs

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Deques 7/6/78

2 accademicals charged
with terror activities

TWO academics, Mr Timothy Peter Jenkin, 29, and Mr Stephen Bernard Lee, 26, assembled 26 'ideological bombs' which they used to distribute pamphlets calling for support of banned, communist organisations, the Supreme Court, Cape Town, heard today.

A packed gallery of the No 1 courtroom looked down on an array of exhibits which included 26 timing devices for pamphlet bombs, cartons of pamphlets, steel trunks, typewriters, a duplicating machine, tools and other equipment.

According to the charge sheet, the two men contravened the Terrorism Act between August 1 1975 and March 2 1978 by producing pamphlets and building 26 timing devices for pamphlet bombs.

Both pleaded not guilty to this count.

Second count

A second count, according to the charge sheet, is that they took part in the activities of the Communist Party of South Africa, the South African Communist Party, the African National Congress and Umkonto we Ziswe at Cape Town, Salt River, Claremont, Mowbray, Johannesburg, The Strand, Stellenbosch and Somerset West.

Attached to the charge sheet was a schedule of 17 pamphlets which were either sent through the post or disseminated by 'bucket bombs.'

Both pleaded guilty to this count.

According to a statement of facts agreed to between the State and the defence, Mr Lee and Mr Jenkin returned to

South Africa from abroad in June and July 1975.

Mr Lee possessed certain of the pamphlets and assisted to roneo others.

Both men addressed envelopes containing five of the pamphlets and posted them.

Timing devices

Other pamphlets were disseminated by means of 'bucket bombs.'

Mr Lee pointed out to police where he had placed 12 bombs which he had activated to disseminate pamphlets.

Similarly, Mr Jenkin identified the spots where he had placed 11 bucket bombs.

According to the statement Mr Lee placed and activated timing devices on Greenmarket Square and at the corner of Strand and Burg

(Continued on Page 3, col 1)

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7/6/78



DR and Mrs P Jenkin, parents of Mr Timothy Peter Jenkin, 29, who is charged in the Supreme Court, Cape Town, with Mr Stephen Bernard Lee, 26, with taking part in terrorist activities, enter the court today. Behind them is defence attorney for Mr Jenkin, Mr D J Lloyd.



MR and Mrs K H Lee, parents of Mr Stephen Bernard Lee, and his attorney, Mr B O'Sullivan, right, at the Supreme Court, Cape Town, today.

Two on terror charges

7/6/78

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(Continued from Page 1)

Streets which were detonated at the same time as a banner proclaiming 'the ANC lives' was displayed in Strand Street on September 7 last year.

The statement continues that Mr Jenkin bought or hired typewriters and an addressograph under false names.

One of the typewriters, leased from Olivetti in November and December 1976, was thrown into the sea by Mr Jenkin.

Exhibit No 77, a letter written by Mr Jenkin while awaiting trial, was intercepted in the post on June 5 this year, the agreed statement concludes.

Pleas

Mr Jenkin pleaded guilty to count one; namely, taking part in terrorist activities, but not guilty to count two, which alleged a contravention of the Internal Security Act.

Mr D Scott, for Mr Jenkin, told the court, the defence was 'purely technical' in that there had been an improper duplication of charges.

Should the court find there had not been an improper splitting of charges, then it was conceded Mr Jenkin was guilty on the facts as set out in the charge sheet.

Mr J Dendy Young, for Mr Lee, said Mr Lee pleaded guilty to count one and not guilty to count two, since it was contended a sentence imposed for these two counts together would not be competent in law.

The State accepted the pleas on the first count, but not on the second.

The court then adjourned to 11.15 am to study the amended charge sheet and agreed statement of facts.

Exhibits

After the adjournment, Mr T Louw, for the State, handed in a list of exhibits — 'because there are a rather large number of them.'

Mr Louw said he would call five policemen and 'Mr X' to testify for the State.

Detective Warrant Officer Van Wyk would say he kept the two accused men under observation for some time before their arrest.

Major van Tonder, a member of the police bomb disposal unit would testify as to the functioning of the 'bombs' before court.

Lieutenant Greyling of Johannesburg would say that one of the bombs exhibited in court exploded while he tried to defuse it.

Mr X was 'a person whose name should for

security reasons not be published.' He would give evidence of the activities of some of the unlawful organisations mentioned in the indictment.

The first witness was Detective Warrant Officer J P F van Wyk, who told the court his investigations began on December 10 1975 and involved the dissemination of pamphlets through the post and by ideological bombs.

He said an 'ideological bomb' was a bomb designed to blow pamphlets into the air.

He said letters containing the pamphlets were handed to him by an official in the Post Office.

Among the pamphlets seized were ones entitled 'South Africa get out of Angola' and posted at Cape Town on December 10 1975.

Bombs

Two copies of another pamphlet titled 'Don't collaborate with the racist intervention in Angola' posted in Cape Town on February 8 1976, also came into the hands of the police.

Another pamphlet was disseminated by means of three 'ideological bombs' in Johannesburg on March 18 1976.

The pamphlet was entitled: 'The ANC says to Vorster and his racist regime.'

Eleven copies of it were handed to police by members of the public.

On December 23 and 24 last year, a total of seven bombs exploded in Cape Town and one each at Claremont, Woodstock and Salt River. By these bombs, a pamphlet entitled '1978 anti-apartheid year!' was disseminated.

Warrant Officer van Wyk identified one of the exhibits before the court as a bomb which exploded in Johannesburg on March 18 1976.

Rubbish bin

It exploded in a rubbish bin on the corner of President and Diagonal streets, Johannesburg. Police recovered 272 of the pamphlets disseminated by the bomb.

On December 15 1976 two explosions occurred in Cape Town, distributing a pamphlet called 'The struggle continues! Victory is certain!'

One explosion was on Greenmarket Square and the other on the Parade. Seventy-six pamphlets were recovered.

Evidence was given of many other pamphlet bomb explosions.

Warrant Officer van Wyk said he kept Mr Jenkin and Mr Lee under observation at their flat in Mowbray.

He started on February 22 this year, before the pamphlet 'Vukani — Awake' of February 1978.

He noticed certain movements of the men. Mr Jenkin drove a black Peugeot and Mr Lee a white Volvo with a Krugersdorp registration number, which was changed to a Cape Town number in February this year.

Parked car

He noticed that Mr Lee's car remained standing at its parking place from February 21 this year.

On February 28, about 6 pm, he noticed the black Peugeot of Mr Jenkin parked in William Street about 75 metres from the flat.

There was a folding wooden table and chair in the car and other things wrapped up.

On the front seat was a duplicating machine half covered with a plastic sheet.

'I kept the car under observation. About 7.15 pm the accused got into the Peugeot.'

Warrant Officer van Wyk said Mr Jenkin drove around two left corners, stopping at garage No 50 where he unloaded equipment, including the duplicator from the car.

Mr Jenkin drove away and stopped at his parking place, No 8, outside the flat.

Mr Acting Justice Nel is sitting with two assessors, Mr A J van Niekerk and Mr W A King. Mr T Louw appears for the State.

Mr D Scott, instructed by Walker, Lewis, Godley and Field, appears for Mr Jenkin and Mr J Dendy Young, instructed by O Sullivan and Kotze for Mr Lee.

(Proceeding)

acid —not rain

star 7/6/78

WASHINGTON —

Every time it rains, it is not pennies from heaven, but corrosive acid that is showering down on the earth.

Much of it is damaging sulfuric acid, a result of coal burning, that is pumped into the atmosphere from electric power plants and sent drifting to all corners of the globe.

The "menace" of "acid rain," as it is called in the environmental science field, is certain to be heard about increasingly if coal moves into the pre-eminent energy position sought for it by the Carter administration.

Acid rain is attacking fish life, making lakes sterile, marring forest production, impregnating soil and snowcaps and working its way into the earth's eco-system.

The first serious studies of acid rain are producing some grim and pernicious prospects for the future, Leon S. Dochinger told a conference of environmental officials here last week.

"It is perhaps the most serious environmental dilemma of the century," Dochinger said. "We are talking about sulphur and nitrogen oxides, which come from coal burning and automobiles, from natural sources such as volcanoes and forest fires."

Dochinger is a Department of Agriculture air pollution specialist from Delaware, Ohio. He is co-author of a new paper on acid rain, from which he read at an Environmental Protection Agency (EPA) research conference.

Among the findings that he and his team have come up with are these:

- Rainwater, particularly in the eastern United States, has become increasingly acidic in the last 15 years. Data from New York and New England show the rain content is one-third nitric acid and sulphuric acid.

- Freshwater bodies in the northeast, in eastern Canada and northern Europe — Norway and Sweden, where the problem is acute — are endangered by acid rainfall.

- There is a strong belief, although not entirely documented, that

forest growth. The rate of growth has declined in the northeast and in Scandinavia since 1950 and the thought is that the rain is a factor.

"The entire eastern United States is being inundated by acid precipitation, and it has grown during the last 17 years," Dochinger said. "But we still have a long way to go to know about the chemistry of this acidity in the United States."

Part of his message was that scientists must begin to more seriously weigh the potential damage caused by acid-laden rains.

The problem, he said in an interview, is simple: "What goes up must come down."

Which is to say that each time a pollutant is released into the atmosphere it eventually will find its way back to earth, although in many cases it will be thousands of kilometres away from its source.

"It is a global problem," Dochinger said, "and there is no way to trace it or to stop it because it does not recognise boundaries." — Washington Post News Service.

of one of the present rooms, which means that the lighting and ventilation

186 security law trials — institute

By PATRICK LAURENCE
Deputy Political Editor

THERE have been 186 trials under the security laws since the outbreak of unrest in June 1976, according to the Institute of Race Relations.

The 186 includes five held in Transkei and eight heard in South West Africa, leaving South Africa with a total of 173 — the majority of which have been completed.

The geographical distribution of security trials within South Africa is starting to change, with Johannesburg declining in importance as a venue and Cape Town and the Eastern Cape rising in significance.

time.

Observers are puzzled by the reference to 66 current "terrorist cases" made by the Minister of Justice, Mr J T Kruger, in Parliament last month.

If "terrorist cases" is read as trials under the Terrorism Act only, then it must include many trials which observers are not aware of. If, however, it is taken to mean trials under all security laws, then it is about the same as unofficial records.

There are several security laws, of which the key ones are the Terrorism Act, the Internal Security Act, the Unlawful Organisations Act and the Sabotage Act.

Professor A S Mathews, dean of law at the University of Natal, asked whether Mr Kruger had not categorised all security law cases as "terrorist" cases.

"Is it evidence of a tendency to lump together all people charged in political trials as 'terrorists'?" Prof Mathews asked.

He had earlier pointed to an apparent error on detainee details given in the same address to Parliament by Mr Kruger.

In his speech Mr Kruger included as detainees under the Terrorism Act people held under Section 22 of the General Law

Amendment Act and Section 12 of the Internal Security Act (Hansard Vol 14, columns 6832 and 6833).

In the latest issue of Race Relations News, Professor John Dugard, president of the institute, calls for a re-definition of terrorism in the Terrorism Act.

"The definition is so wide in Section 2 of the Act that any person who engages in any political act outside the framework of the existing political order can be arrested."

"I would thus suggest that the definition of terrorism and of terrorists be restated to cover only cases of persons who have engaged in the commission, planning or incitement of acts of political violence."

Prof Dugard suggests a number of minimum reforms to the Terrorism Act, although ideally he would like to see the scrapping of detention without trial altogether.

Among his proposed reforms are:

① The need for police to obtain a judicial warrant before detaining anyone or, at least, judicial confirmation of the detention.

② The right of detainees to see their own lawyers and doctors.

③ The establishment of a racially-mixed judicial tribunal to review all detentions once a month.

Prof Dugard concludes: "The danger of the present security laws is that they are seen purely as an instrument of repression, which accords with the Marxist view of law in a capitalist society."

As one of its current projects, The Urban Problems Research at the University of Cape Town in 1975, has — with the co- — been conducting research into housing conditions in the townships, with a view to isolating the major problems encountered by residents and authorities and seeking practical solutions. Its findings is presently being prepared but already some problems have become apparent and, it is felt, might be tackled in the following areas :

- i) the design and preparation of plans for house alterations to be inexpensive and meet with the requirements of the local community;
- ii) a streamlining of the approval process,
- iii) methods of making finance available for both home improvement and the building of new family houses,
- iv) the possibility for the Blacks to own their own homes in the urban area.

The report of this research project will deal with these and other recommendations in detail. It is felt, however, that in the present climate of urban unrest much could be gained through practical and positive steps being taken in the areas mentioned above by persons, organisations or authorities who are able to contribute.

Terror trial

(Continued from Page 1)

Court told of leaflet bombs

331 Argus 8/6/78

THE 26 'ideological bombs' constructed by two Mowbray academics were neat and very typical examples of this sort of device, the Supreme Court, Cape Town, heard today.

The court was given a description of the components, construction and workings of the 'leaflet launchers' which form part of the evidence against Mr Timothy Peter Jenkin, 29, and Mr Stephen Bernard Lee, 26, both of Lesta Court, William Street, Mowbray.

Major J G van Tonder, today's first witness, of the police bomb disposal unit, said he had training in the identification and defusing of explosives.

He examined the 26 timing devices for 'ideological bombs' alleged to have been constructed by Mr Lee and Mr Jenkin to distribute pamphlets.

REPORT

Major van Tonder, reading from a prepared report said the 26 bombs before the court were typical 'ideological bombs' used to distribute pamphlets by blowing them into the air with a small quantity of explosive.

He said the bombs were all alike.

Taking one of the exhibits, he said it comprised a rectangular piece of wood as a base, a timing device, a battery and a vertical piece of aluminium piping.

The bombs also used a light rectangular piece of wood, with a vertical rod attached which was placed in the aluminium pipe.

PAMPHLETS

The pamphlets were placed on top of the lighter piece of wood as on a platform.

The bomb was then placed in a home-made cardboard box and this in a large paper bag.

At the bottom of the bag was a hole corresponding to one in the bag. There was also a hole in the wooden base next to the timing device.

A safety pin was inserted in the hole to hold the timing device in place until the 'bomb' was in position.

In most cases, the time-lag was about five minutes, Major van Tonder said.

The explosive which propelled the pamphlets into the air was placed in

TOO POWERFUL

Major van Tonder said in three cases the explosive was too powerful and the device itself was damaged.

In three cases, there was a hole ripped out of the wooden bases of the

(Continued on Page 3, col 7)

devices constructed by Mr Jenkin and Mr Lee.

In one bomb round, the wooden base was extensively damaged, and the timing device blown off the base.

In such cases, if people were within two metres of the bomb the fragments of the base could injure them, Major van Tonder said.

An examination of a banner reading 'ANC lives' displayed from the Parkade, Strand Street, showed that a similar explosive device was used to open it.

The explosive snapped a plastic cord holding the banner, and when this happened, the banner unfurled.

BOOKS

Major van Tonder said he examined books on explosives found by the police in a garage for which the two accused men had keys.

One was a textbook written by explosives experts. It dealt with rocket propellants, including solid propellants.

It was the section on solid rocket propellants which would be of particular interest to anyone wanting to make such bombs.

Having read these books, it was possible to make home-made bombs using easily obtainable components, Major van Tonder said.

AN EXAMPLE

For example, he said, different means of electrically setting off explosives were described in one book.

One chapter described the manufacture of gunpowder. It was very easy to make the gunpowder at home as the constituents were readily obtainable.

A chapter on propellants advised that a particular substance gave a higher temperature on explosion.

Major van Tonder said it was his opinion that the substance mentioned had indeed been a component of the 'bombs' before court.

GUNPOWDER

In two cases, pure gunpowder without this substance had been used as explosive content.

Major van Tonder referred to a half-metre high bomb constructed of a wide diameter plastic pipe reinforced with glass fibre on a wooden base.

It was his opinion this incomplete device was also intended as an 'ideological bomb'.

Empty capsules like those found in the garage, were generally used as a time-delaying device where chemical interaction caused an explosion.

When the capsule was eaten through and the detonating chemical came into contact with the gunpowder an explosion occurred, he said.

Terrorism Act charges

MR Timothy Peter Jenkin, 29, and Mr Stephen Bernard Lee, 26, both pleaded guilty to taking part in terrorist activities in contravention of the Terrorism Act between August 1975 and March 1978.

They have pleaded not guilty to contravening the Internal Security Act by taking part in the activities of banned organisations during the same period.

The State has accepted the pleas of guilty on count one, but rejected the plea of not guilty on count two.

Mr Acting Justice Nel is sitting with two assessors, Mr A J van Niekerk and Mr W A King.

Mr T Louw appears for the State. Mr D Scott, instructed by Walker, Lewis, Godley and Field, appears for Mr Jenkin. Mr J Dendy Young, instructed by O'Sullivan and Kotze, appears for Mr Lee.

Crossexamined by Mr D Scott for Mr Jenkin, Major van Tonder said these 'ideological bombs' generally contained a low explosive.

He agreed with Mr Scott that, although the word 'bomb' had been used in both the charge-sheet and the evidence, these devices were intended as pamphlet distributors which could not harm people or damage property.

Mr Scott: Is it a 'bomb' in the normal sense of the word?

Major van Tonder: We call them 'ideological bombs'.

Mr Scott: But you would refer to it as a 'device'?

Major van Tonder: Once it has exploded it is no longer a bomb — it's a device.

LAST WITNESS

The last witness to be called by the State will be Mr X, who may not be identified.

Mr Louw, for the State, asked that the evidence of this witness be heard in camera. He said it had happened in the past that this type of witness had been murdered.

He said it was in the interests of the witness, justice and the State, that his name be kept from the Press and the public.

Mr Louw asked for time to consider his position and said he had, if necessary, a witness available to give evidence in this regard.

The court then adjourned.

(Proceeding)

531

The Cape Times, Thursday, June 8, 1978 3

rror charges



Mr B O'Sullivan, right.



Mr D Scott, defence counsel for Timothy Jenkin.

solutions were also found.

On March 6, Mr Jenkin, accompanied by police, went to a flat in Carstens Street which he unlocked. The flat was empty, Warrant Officer Van Wyk said. The flat was rented by Mr Jenkin.

He identified three passports, two of which belonged to Mr Lee (one was a British passport) and the other to Mr Jenkin. The passports were handed in as evidence.

Under cross-examination by Mr Scott, Warrant Officer Van Wyk said Mr Jenkin co-operated with the police after refusing to make any comment in the first four hours after his arrest.

Mr Jenkin voluntarily took the police to the spot where he had thrown a typewriter into the sea.

Under cross-examination by Mr Dendy Young, he said Mr Lee eventually co-operated with them after being "very temperamen-

tal".

Answering questions by Mr Dendy Young, he said the leader of a "terrorist cell" usually recruited people whom he knew well and were "long-standing friends".

In such a cell, the members must support each other. He conceded that Mr Jenkin's and Mr Lee's "cell" was not a "typical terrorist cell" whose aim was sabotage. The activities of both men concerned propaganda, he said.

Warrant Officer Van Wyk said their activities during a time of unrest in the country would, in his opinion, have "a helluva effect".

The trial continues today.

Mr Acting Justice Nel, assisted by Mr A J van Niekerk and Mr W A King, presided. Mr Scott, instructed by Walker, Lewis, Godby and Field, appeared for Mr Jenkin. Mr Dendy Young, instructed by O'Sullivan and Kotzé, appeared for Mr Lee.

Mr Lee handed over a bunch of keys and showed the police a garage which was unlocked in his presence.

A trunk filled with books was found. A large number of exhibited books on explosives and communism were identified by Warrant Officer Van Wyk.

He also found over R500 and several blocks of stamps, stencils, typewriters, wiring and bottled

Two plead guilty to te

TWO Mowbray men, Timothy Peter Jenkin, 29, and Stephen Peter Lee, 26, pleaded guilty in the Supreme Court yesterday to charges under the Terrorism Act.

The State rejected both men's pleas of not guilty on a second count which alleged contraventions of the Internal Security Act.

According to the indictment, both men are alleged to have taken part in terrorist activities during the period August 1, 1975 to March 2, 1978 (the date of their arrest) — count one.

During the same period, the men are alleged to have taken part in the activities of unlawful organizations such as the Communist Party of South Africa and the African National Congress at or near Cape Town, Salt River, Claremont, Mellenbosch, Strand, Somerset West, Mowbray and Johannesburg — count two.

Mr D Scott, for Mr Jenkin, said Jenkin's plea of not guilty on count two was "for purely technical reasons" as there had been an improper splitting of charges.

It was conceded that Mr Jenkin was guilty on the facts set out in the indictment if the court found there had been no improper application of charges.

Mr J Dendy Young, for Mr Lee, said Mr Lee pleaded not guilty, on the second count as it was considered incompetent in law for the imposition of a sentence taking the two counts together.

The court adjourned to study the amended indictment and an agreed statement of facts submitted to the court.

After the adjournment, Mr T Louw, for the State, said in his opening address that the investigating officer, Detective Warrant Officer Van Wyk, would give evidence on the police's observation of the two men till their arrest on March 2 this year.

Major Van Tonder, a member of the SAP bomb disposal unit,

would testify on the functioning of the bombs, as well as to some of the books found in a garage, the keys of which were found in the accuseds' flat.

Lieutenant Greyling of Johannesburg would give evidence on a bomb which exploded while he was attempting to defuse it.

Mr Louw said a Mr X, "a person whose name should not for security reasons be published", would give evidence on the activities of the unlawful organizations mentioned in the indictment.

A schedule of 17 pamphlets which were disseminated by "bucket bomb" or sent through the post was attached to the charge sheet.

Examples of the pamphlets included were: "Let us advance the liberation struggle", "The ANC lives", "Vukani — Awake" and "Don't collaborate with the racist intervention in Angola".

According to an agreed statement of facts between the State and the defence, Mr Jenkin and Mr Lee returned to South Africa from overseas in 1975.

Mr Lee possessed certain of the pamphlets and helped to duplicate others. Both men addressed envelopes containing five of the pamphlets and posted them. Other leaflets were disseminated by way of "bucket bomb".

Mr Jenkin identified to the police the places where he placed 11 bucket bombs, and Mr Lee pointed out where he placed 12 bombs activated to disseminate pamphlets.

Exhibit No. 77, a letter written by Mr Jenkin, was intercepted in the post on June 5 this year. Mr Jenkin bought or hired typewriters and an addressograph under a false name. He also threw one of the Olivetti typewriters into the sea, the statement said.

Mr Lee also placed and activated pamphlet bombs in Greenmarket Square and on the corner of Burg and Strand Streets which were detonated at the same time as a banner "The ANC live" was displayed from the seventh floor of the Parkade on September 7 last year.

A packed court looked down on tables stacked with 26 timing devices for pamphlet bombs, typewriters, a duplicating machine, two steel trunks filled with books, and cartons of documents.

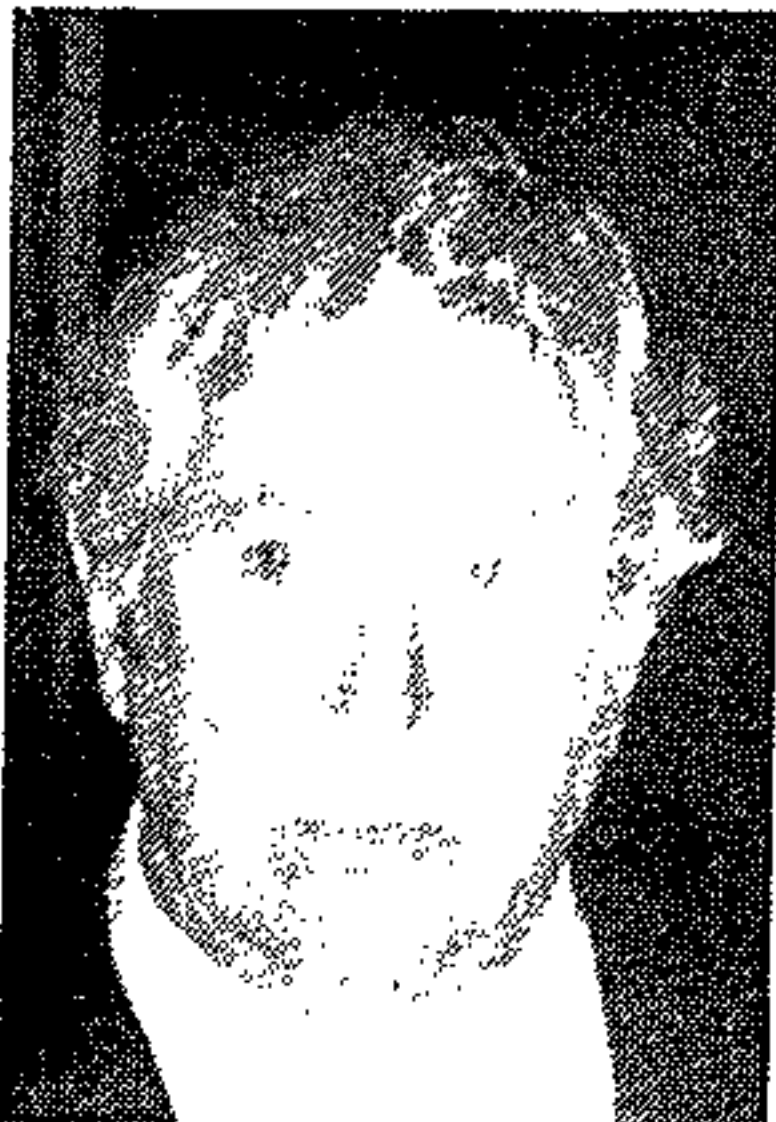
Mr Louw handed in a list of the exhibits because "there are rather a large number of them", he said.

The first State witness was Warrant Officer J P van Wyk, a member of the Security Police stationed in Cape Town. He told the court that investigations on the case began on December 10, 1975 and involved the distribution of propaganda pamphlets through the post and by "ideological bombs".

He said the bombs were designed to throw pamphlets into the air. The letters containing the



Mr and Mrs K H Lee, parents of Mr Stephen Bernard Lee, with his attorney,



Mr J Dendy Young, defence counsel for Stephen Lee.



One of the 26 "ideological bombs" exhibited in the trial.

pamphlets were handed over to him by a Post Office official.

One of the seized pamphlets was entitled "South Africa — Get out of Angola" which was posted in Cape Town on December 10, 1975.

Copies of another pamphlet entitled "Don't collaborate with the racist intervention in Angola" posted in Cape Town on February 8, 1976 were also handed to the police, he said.

Eleven copies of the pamphlet "The ANC says to Vorster and his racist regime", which was disseminated by "ideological bombs" in Johannesburg on March 12, 1976, were handed to the police by members of the public.

On December 23 last year, four bombs exploded in Cape Town and on December 24, one in the City and one each in Woodstock, Salt River and Claremont.

Warrant Officer Van Wyk identified one of the exhibits as a bomb which exploded outside the Rand Daily Mail newspaper offices in Johannesburg on March 18 last year, distributing pamphlets entitled "The ANC says to Vorster and his racist regime".

He identified another which exploded on the corner of Diagonal and President Streets, Johannesburg, on the same day. He gave evidence on many other pamphlet bomb explosions over the past two years.

The observation of Mr Jenkin and Mr Lee at their Mowbray flat by police began on February 22 this year.

Mr Jenkin drove a black Peugeot and Mr Lee a white Volvo. On the evening of

February 28, this year, Warrant

Officer Van Wyk saw a folding table, a chair and a duplicating machine half-covered by a plastic jacket on the seats of Mr Jenkin's car, parked some distance from their flat in William Street.

About an hour later, Mr Jenkin came out of the flat, got into his car and drove off, stopping outside a row of garages. Mr Jenkin was seen unloading the equipment into garage No. 50.

On March 2 Warrant Officer Van Wyk and other members of the security police went to the man's flat.

The door was opened after half an hour by Mr Jenkin. The police entered to find Mr Lee in one of the bedrooms. After a search several padlocks and keys were found and the two men were arrested.

Warrant Officer Van Wyk said

Court hears how bucket bombs made

331
09/10/78
R. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

CAPE TOWN. — A police bomb disposal expert yesterday told the Cape Town Court how pamphlet bombs were made — and said the 26 built by two academics on terror charges were neat and typical examples.

The court was given a description of the components, construction and operation of the 'bucket' bombs, which form part of the evidence against Mr Timothy Peter Jenkin, 29, and Mr Stephen Bernard Lee, 26, both of Mowbray, Cape Town.

Major J G van Tonder of the police bomb disposal unit said he had examined the 26 timing devices for "ideological bombs" constructed by Mr Lee and

Mr Jenkin.

The bombs before the court were typical ideological bombs used to distribute pamphlets by blowing them into the air with a small quantity of explosive. They were all of like construction.

Maj Van Tonder took one exhibit as an example and explained how it was made and set off.

Cross-examined by counsel for Mr Lee, Mr J Dendy-Young the major conceded Mr Lee had not acted as a "normal terrorist".

Mr Dendy-Young: Here were two friends. One helped in the distribution of pamphlets. Was this typical of a terrorist cell?

Maj Van Tonder: Armed terrorists work in groups rather than cells. This association seemed to have as its aim the distribution of pamphlets.

Johannesburg Security Police Lieutenant Deon Greyling, an explosives inspector, told the court how a pamphlet bomb exploded in his hands as he tried to defuse it.

The incident occurred on the corner of Bree and Hoof streets in central Johannesburg.

Colonel Johannes Broodryk, former head of the Security Police in Cape Town, told the court he was investigating officer in the David Rabkin case heard in Cape Town in 1976.

He said he had vast experience of banned organisations like the ANC and the South African Communist Party.

Basically, the charges as set out in the indictment against Rabkin and against Mr Lee and Mr Jenkin were identical. The accused pair operated in much the same way as Rabkin.

Mr Jenkin and Mr Lee have pleaded guilty to taking part in terrorist activities, in contravention of the Terrorism Act, between August 1975 and March 1978.

They have pleaded not guilty to contravening the Internal Security Act by taking part in the activities of banned organisations during the same period.

The State has accepted the pleas of guilty on the first charge but rejected the not guilty pleas on the second. — Sapa.

9/6/78 M (331)

Mystery man testifies in terrorism trial

CAPE TOWN — The evidence of a mysterious "Mr X" on the activities of the banned African National Congress was yesterday heard in camera in the Supreme Court here, during the trial of two academics charged under the Terrorism and Internal Security Acts.

Mr Acting Justice Nel ordered the court be cleared of spectators, including the press and parents of both the accused, Mr Timothy Jenkin, 29, and Mr Stéphen Lee, 26, after an application by the State that the identity of the witness not be revealed for fear of his being murdered.

Mr T. Louw, for the State, called Col J. C. Broodryk, of the Security Police in Pretoria, to testify in support of his application.

Col Broodryk told the court that in the past State witnesses called to give evidence in similar trials had been threatened and in some cases (he gave the names of several men) they had been murdered.

Mr D. Scott, for Mr Jenkin, did not object to the application. Mr J. Dendy Young, for Mr Lee, opposed the application.

The witness, "Mr X,"

gave evidence for an hour yesterday afternoon after which the court adjourned until today. Cross-examination will be heard this morning.

Earlier, Lt D. Greyling, an explosives expert, told the court a "bucket bomb" exploded while he was attempting to defuse it. It was found in a plastic bag on a street corner in Johannesburg on June 15 last year.

"It exploded, so to speak, in my hands," he said.

He was not injured. The bomb contained 103 pamphlets entitled: "Let us advance the liberation struggle."

Another explosives expert, Maj J. G. van Tonder told the court the 25 "ideological bombs" exhibited were the work of a perfectionist — made by someone "obviously proud of his work."

After thorough ex-

amination of the exhibits, Maj Van Tonder said all were similar and used to distribute pamphlets by blowing them into the air with a small amount of explosives.

It was his opinion that it was intended as an "ideological bomb."

Maj Van Tonder said he had examined books on explosives found in the garage belonging to the two men after their arrest by the police.

One book, written by explosives experts, dealt with rocket propellants and solid propellants. Anyone planning to make bombs would find the chapter on solid propellants of special interest.

It was possible for anyone to make home-made bombs using easily available components to do so after reading the books, Major Van Tonder told the court.

In one book, different ways of setting off explosives by electrical means was described. One chapter on the manufacture of gunpowder showed how easy it was to make it at home as the constituents were readily obtainable, he said.

He said in cross-examination by Mr Scott that "low explosives" had been used in the bombs exhibited.

Maj Van Tonder conceded the bombs could only be used to distribute pamphlets and would not damage property or injure people.

Questioned further by Mr Acting Justice Nel, Maj Van Tonder said tests done by him showed that a maximum of 350 pamphlets could be fitted on top of the bomb.

The fact that most of the bombs looked "completely undamaged" showed "how neatly" they had exploded. — DDC.

CAPE TIMES 9/6/78 331

Court cleared for evidence of 'Mr X' on ANC

THE evidence of a witness known as "Mr X" on the activities of the banned African National Congress, was yesterday heard in camera in the Supreme Court during the trial of two City academics charged under the terrorism and internal security acts.

Mr Acting Justice Nel ordered that the court be cleared of spectators, the press and the parents of both the accused, Timothy Jenkin, 29, and Stephen Lee, 26, after an application by the State for the identity of a State witness not to be revealed.

Mr T Louw, for the State, called Colonel J C Broodryk of the security police, to testify in support of his application.

Colonel Broodryk said that in the past State witnesses testifying in similar trials had been threatened and in some cases they had been murdered.

Mr D Scott, for Mr Jenkin, was asked if he objected to the application. "I just wish to say at this stage that I do not oppose the application nor have I ever done so," he answered.

Mr J Dendy Young, for Mr Lee, opposed the application.

"Mr X", gave evidence for an hour yesterday afternoon after which the court adjourned until today.

Earlier, Colonel Broodryk gave evidence on publications of the banned ANC and South African Communist Party.

He told of the unrest which broke out on June 16, 1976, throughout the country, but conceded that since then, it had become "quieter".

Another State witness, Lieutenant Deon Greyling, an explosives expert, said a "bucket bomb" exploded while he was attempting to defuse it after it was found in a plastic bag on the corner of Bree and Hoek streets, Johannesburg, at 7pm on June 15 of this year.

"It exploded, so to speak in my hands," he said.

He was not injured. The bomb contained 103 pamphlets entitled "Let us advance the liberation struggle".

Another explosives expert, Major J G van Tonder, of the Cape Town bomb disposal unit, said 26 "ideological bombs" ex-

MR TIMOTHY PETER JENKIN, 29, and Mr Stephen Bernard Lee, 26, have pleaded guilty to charges under the Terrorism Act. They pleaded not guilty to contraventions of the Internal Security Act. Both are alleged to have participated in terrorist activities between August 1, 1975 and March 2 this year (the date of their arrest at their Mowbray flat). They are also alleged to have taken part in the activities of unlawful organizations such as the African National Congress and the South African Communist Party during the same period. The State accepted their pleas on count one under the Terrorism Act but rejected their pleas of not guilty on the second count.



Lieutenant Deon Greyling, middle, of the Johannesburg bomb disposal unit.



Major J H van Tonder, a police explosives expert.

hibited were the work of a "perfectionist" made by someone "obviously proud of his work".

The bombs were "neatly-built" and were typical examples of this kind of device, he said.

Major Van Tonder said all the exhibits were similar and used to distribute pamphlets by blowing them into the air with a small amount of explosive.

Demonstrating one of the exhibits, he said it comprised a rectangular piece of wood used as a base, a timing device, a battery and a piece of aluminium piping.

Another piece of lighter wood with a length of piping attached to it which fitted into the aluminium pipe, formed a platform on which a pile of pamphlets was placed.

The bomb was then placed in a cardboard box which was in turn placed in a plastic bag to serve as a camouflage.

A hole was made in the bottom of the bag to correspond with a hole in the bottom of the carton. There was also a hole drilled through the wooden base of the bomb through which a safety pin was inserted to hold the timing device in place till the bomb had been placed in position.

Major Van Tonder said the explosive was placed in the aluminium pipe. When it exploded it would propel the lighter wood platform into the air, distributing the pamphlets resting on it.

In several cases, the wooden base had had holes blown out and in one of the bombs constructed by Mr Jenkin and Mr Lee, the base had been damaged and the timing device blown off it.

"In a case like this, people within two metres of the bomb, could be injured by the flying fragments of the base," he said.

Major Van Tonder referred to an incomplete half-metre high bomb consisting of a large wooden base to which a wide diameter plastic pipe was vertically attached.

It was his opinion that it was intended as an "ideological bomb".

Major Van Tonder said he examined books on explosives found in the garage belonging to

the two men after their arrest.

One book, written by explosives experts, dealt with rocket propellants and solid propellants. Anyone planning to make bombs would find the chapter on solid propellants of special interest.

It was possible for anyone wanting to make home-made bombs using easily available components to do so after reading the books, Major Van Tonder said.

One of the books was written for the British explosives manufacturing industry, he said.

In one book, different ways of setting off explosives by electrical means was described. One chapter on the manufacture of gunpowder showed how easy it was to make it at home as the constituents were readily obtainable he said.

Empty capsules similar to those found in the garage were used as a timing device where chemical inter-reaction caused an explosion.

The gunpowder exploded when the capsule was eaten away and the detonating chemical came into contact with the gunpowder.

Major Van Tonder said in cross-examination by Mr Scott that "low explosives" had been used in the bombs exhibited.

Major Van Tonder conceded that the bombs could only be used to distribute pamphlets and would not damage property or injure people.

The wood used would have absorbed most of the shock of the explosion, he said.

Questioned by Mr Acting Justice Nel, Major Van Tonder said that tests done by him showed that a maximum of 350 pamphlets could be fitted on top of the bomb.

The fact that most of the bombs looked "completely undamaged" showed "how neatly" they had exploded.

Detective Warrant Officer J H Aggenbach gave evidence on lists of names and addresses found in the possession of Mr Jenkin and Mr Lee.

The assessors are Mr A J van Niekerk and Mr W A King, Mr Scott is instructed by Walker, Lewis, Godley and Field. Mr Dendy Young is instructed by O'Sullivan

Bombers' trial postponed

1967/8 N.M. (331)

Mercury Correspondent

CAPE TOWN — Judgment in the trial of Timothy Jenkin (29) and Stephen Lee (26) charged under the Terrorism and Internal Security Acts, was postponed until Tuesday in the Cape Town Supreme Court yesterday.

Both the State and the defence closed their cases yesterday, the defence without calling any witnesses in answer to the charges.

Both men pleaded guilty to taking part in terrorist activities by distributing pamphlets through the post and "ideological bombs" between August 1, 1975 (the date they arrived back in South Africa from abroad) and March 2 this year (the date of their arrest at their Mowbray flat).

They pleaded not guilty to contravening the Internal Security Act by taking part

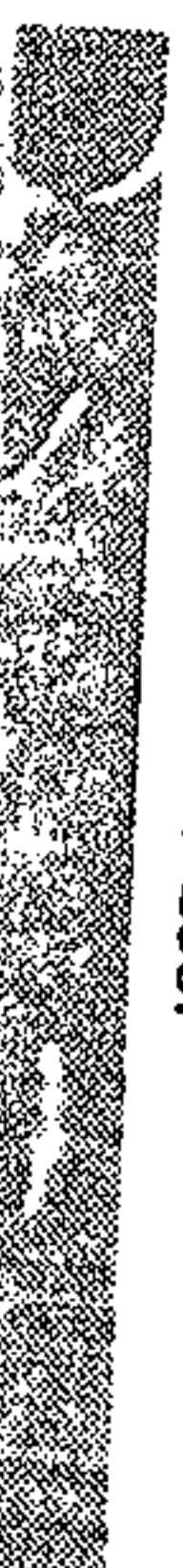
in the placing of them where they exploded.

Mr. Lee admitted to placing 12 of the bombs where they exploded.

Both men were responsible for the construction of the banner "ANC lives" which they displayed on the 7th floor of the parkade in Strand Street.

Mr. Louw quoted from various pamphlets in which it was clear that they incited other persons to commit acts promoting the aims and objects of unlawful organisations.

CONST. D. S. Barry holds up a Russian book — one of the exhibits in the trial of Mr. Kenkin and Mr. Lee.



331
10/6/78
'Leaflet
cells
foiled'

CAPE TOWN. — An accused in the pamphlet bomb trial wrote a letter saying computerised mail sorting meant any mass publication posted in South Africa could be intercepted, the Cape Town Supreme Court heard yesterday.

Counsel for the State, Mr. T. Louw, quoted from the intercepted letter during his argument for conviction of two academics, Mr. Timothy Peter Jenkin, 29, and Mr. Stephen Bernard Lee, 26, on charges under the Terrorism and Internal Security Acts.

He said Mr. Jenkin admitted writing the letter, which said: "the type of cell we used has seen its day" due to computerisation.

They are appearing in connection with the distribution of pamphlets by post and pamphlet bombs between August 1975 and March 1978.

The pamphlets urged support of banned organisations, including the African National Congress and the South African Communist Party.

Mr. Louw said Mr. Jenkin was guilty of preparing all the pamphlets mentioned in the indictment.

Mr. Lee had admitted he either possessed or helped in the preparation of eight pamphlets.

Mr. Jenkin had admitted distributing and posting pamphlets and constructing the 26 pamphlet bombs.

The hearing continues.—
Sapa

The hearing continues.

3, 19, 20, 21
40

1. Originally dormitories 3 & 4 contained 40 beds - the Health Board reduced this number to 30 each.
2. Hostel No. 7 was originally erected by Simpsen Road Construction.
3. It is rumoured that the dorm. burnt over the Easter weekend was deliberately set alight - B.A.A.B. Official.

Pamphlet bombs: 2 guilty of terror

CAPE TOWN. — Two academics, Timothy Peter Jenkin, 29, and Stephen Bernard Lee, 26, were convicted yesterday in the Cape Town Supreme Court, of taking part in terrorist activities which endangered the maintenance of law and order in South Africa.

The two men were acquitted of a second charge of contravening the Internal Security Act by taking part in the activities of banned organisations including the African National Congress and the South African Communist Party between August 1975 and March 1978.

In his judgment, Mr Acting Justice Nel said in terms of Section One (A) of the Terrorism Act the two men were presumed

to have committed the deeds set out in the indictment unless they disproved this beyond reasonable doubt.

Both accused pleaded guilty to the first charge in terms of the Terrorism Act and not guilty to the second, under the Internal Security Act.

The plea of not guilty was on the grounds that this was an improper splitting of charges. Both accused handed in an agreed statement of facts, admitting their respective roles in the production and distribution of pamphlets.

They admitted they disseminated the pamphlets by posting them or blowing them into the air with 26 pamphlet bombs. Jenkin admitted preparing all the pamphlets.

The judge found the

pamphlets were issued on behalf of either the South African Communist Party, the ANC, or "a support group of the National Liberation Movement," which was described in one of the pamphlets as the ANC and its military wing, Umkhonto We Sizwe or "Spear of the Nation".

He quoted from pamphlets encouraging people to support "the armed struggle" against "Vorster's racist regime," and urging everyone to become "freedom fighters".

Mr Acting Justice Nel quoted from each of the 18 pamphlets the men distributed. All advocated violent overthrow of the existing order and its replacement by "the workers' rule."

The creation of secret

groups in mines and factories which could attack "when the time was right" was also urged.

The judge said were the men to have been convicted on the second charge, the result would have been a duplication of convictions. They were accordingly acquitted on this charge.

Dr John Carlisle, a psychiatrist at Groote Schuur Hospital, who is Jenkin's cousin, said Jenkin was always a remote person, but after his return from England he changed dramatically and seemed to have a burning desire to help the underprivileged.

It became worrying to his family that Jenkin seemed to have no friends besides the underprivileged.

The hearing continues. — Sapa.

super: Acc. = above, during:

domos super se ipsos concremaverunt: they burnt the houses over their heads

super cenam : during dinner

18. When we come across further uses of the cases in Latin as extensions of the basic structure, we must always establish what function a particular case fulfils in its sentence. Take a sentence like the following:

urbanus mus cenam dat (gives)

praebet (offers)

promittit (promises)

ostendit / monstrat (shows)

If a mouse (or a man) gives, offers, promises, shows, a dinner, the immediate question that arises is "to whom?", i.e. cui dat / praebet / promittit / monstrat? and then the answer is rustico muri, or veteri amico, or amicis suis, or veteribus amicis or whatever is required. These words are in a case which indicates that the action is taking place for or on behalf of or to the advantage or disadvantage of the person or thing indicated by the case. This case is called the Dative (derived from do, dare, because it is so often used with this verb). We find here a very common pattern in Latin consisting of the subject (nominative), the object (accusative), the indirect object (dative), the predicate (verb).

Hansard 19 14 June 1978
 Question 731 Cos. 948 & 948.

331

(2) In response to questions in each case of
 (a) the number of persons in each case of
 (b) the number of persons in each case of
 (c) the number of persons in each case of
 (d) the number of persons in each case of
 (e) the number of persons in each case of
 (f) the number of persons in each case of

THE MINISTER OF JUSTICE

	White	Coloured	Asiatic	British
(1) (a) Yes	0	0	0	74
(b) Yes	1	0	0	9
(c) Yes	0	0	0	5
(d) Yes	0	0	0	44
(e) No.				
(f) No.				
(2) (a)	3	9	10	122
(b)	1	0	0	19
(c)	0	0	0	1

THURSDAY, 15 JUNE 1978

950

(d)	6	5	6	158
(e)	0	0	0	0
(f) Not readily available.				

PAC money trips alleged

331
14/6/78

BETHAL — A 22-year-old man from Soweto belonged to two political organisations since 1975, went to Botswana twice without a passport to get money, and twice hired cars in Johannesburg to take students to Swaziland for military training, the Supreme Court heard here yesterday.

The man was giving evidence in the trial of 18 men charged with furthering the aims and objectives of the banned Pan-Africanist Congress.

He said he became a member of The People's Branch for the Liberation of South Africa in 1975. Later that year the name changed to The People's Front for the Liberation of South Africa.

In Soweto a friend asked him to join the PAC, saying the organisation needed educated young men.

He met Mr Goodwill Moni (accused No. 11) at a meeting. His friend asked

those present if they wanted to go to Swaziland. They all wanted to go for military training and his friend said they would go under the auspices of the PAC.

Mr Moni told him to go to Botswana to fetch money for the PAC. He was to use the money to buy a car to take people out of the Republic.

In February last year he and Mr John Ganya crossed the Botswana border illegally.

In Gaborone, police took them to a house.

Mr Ganya asked for money and was told there was none in Botswana. Dar-es-Salaam was the place but when they left they were given R200.

He and three men later went to Botswana where they were told Mr Ganya had taken all the money.

The witness said he was arrested on May 11 in Johannesburg.

The hearing continues on Monday. — SAPA.

Pamphlet bomb pair get 12, 8 years

CAPE TOWN. — The two academics convicted under the Terrorism Act in the "pamphlet bomb" trial in the Supreme Court were both sent to jail by Mr Acting Justice H C Nel yesterday.

Timothy Peter Jenkins, 29, was jailed for 12 years and Stephen Bernard Lee, 26, for eight years.

The judge refused the applications for leave to appeal against sentence and an application for revocation on a point of law. Passing sentence, Mr Acting Justice Nel said Jenkins prepared and reduced about 18 pamphlets and disseminated them with Lee's help. The pamphlets were disseminated through the and by "ideological"

bombs set off in Johannesburg and Cape Town.

The judge said the pamphlets were intended to encourage readers to join unlawful organisations, to incite sabotage, and to overthrow of the government by armed force.

The pamphleteering was done during a period of very serious unrest on the Witwatersrand and elsewhere, including Cape Town.

The judge quoted a pamphlet, issued in the name of the African National Congress, shortly after the start of unrest in Soweto on June 16, 1976, which called on people to embark on "massive protests, actions and demonstrations against the murder of our children".

The judge referred to David Rabkin and Jeremy Cronin, who were sentenced for similar activities to 10 years and seven years in prison respectively in September 1976.

It was evident that the accused must have been aware of the serious light in which their activities would be viewed by the court.

"They nevertheless continued with the dissemination of their inflammatory pamphlets in relative safety while inciting others to commit acts of violence."

Defence counsels for Jenkins and Lee applied for leave to appeal against the sentences.

Mr D Scott, for Jenkins,

said there was a disparity between the sentence imposed on Jenkins and Lee and sentences imposed by courts in similar cases.

The other ground was the absence of any cogent evidence suggesting the conduct of the accused had adversely affected the maintenance of law and order to any material extent.

Mr D Dendy Young, for Lee, said the sentence was excessive in the light of the circumstances of the case and previous decisions. The court had failed to take into account the mitigating factors in Lee's case, he said.

Applying for leave to appeal for the resurrection of a point of law, he argued that Lee should have

been convicted under the Internal Security Act, rather than under the Terrorism Act.

He said the State had to prove under the Terrorism Act that the intention was to endanger the maintenance of law and order.

"There is no evidence that Lee intended to endanger the maintenance of law and order. There is no evidence that he took part in the preparation of the pamphlets, or that he had even read them."

Mr Dendy Young said Lee had only taken part in the activities of unlawful organisations, which was a contravention of the Internal Security Act. — Sapa

It is suggested that there are certain minimum physical living conditions to which all single men's accommodation must conform. Whether the migrant labour system stays or goes, housing is always going to be required for men living singly. The recommendations which follow fall into two broad categories: changes that can and need to be made to present accommodation and comment upon future housing. It must be said however, that the writer is not an architect and these suggestions on detail do not pretend to be those of an expert, and insofar as they go can hardly be said to be adequate.

Present Accommodation

The Employers' Dormitories: All dormitories should be divided into separate rooms. Some dormitories already have dividing walls between the bunks. Each employer should add a further wall across the front of these dividing walls complete with doors, which would thereby turn the dormitory into 'flatlets'. If this were done it would then provide some measure of privacy and keep out the wind. Present 'pondoks' often enclose a window. Where the rooms will not include a window the dormitory should be investigated to ascertain the possibility of altering the present window so that each room will have window space. All dormitories are in urgent need of paint, both inside and out, if only in the interests of cleanliness.

Terror Act pair get lengthy jail terms

16/6/78
331

CAPE TOWN — Two academics convicted under the Terrorism Act of endangering law and order in South Africa were sentenced to lengthy jail terms by Mr Acting Justice Nel in the Supreme Court here yesterday.

Mr Timothy Jenkin, 29, was jailed for 12 years and Mr Stephen Lee, 26, for eight years.

The judge refused their applications for leave to appeal against sentence and an application for reservation on a point of law.

Passing sentence, the judge said Mr Jenkin had prepared and reproduced about 18 pamphlets and disseminated them with

the assistance of Mr Lee. Mr Jenkin had been active for about two years and three months and Mr Lee for about two years.

The pamphlets were disseminated through the post and by "ideological" bombs in Johannesburg and Cape Town.

The judge said the pamphlets were intended to encourage readers to join unlawful organisations, to incite

sabotage and the overthrow of the government by armed force.

This was done during a period of serious unrest on the Witwatersrand and elsewhere.

The pamphlets were calculated to incite the black people of South Africa to continue with these actions.

The judge said the ac-

tions of the two men were of a serious nature.

He referred to Mr David Rabkin and Mr Jeremy Cronin who were imprisoned for similar activities in September 1976.

He said it was evident that the accused must have been aware of the serious light in which their activities would be viewed by the court.

"They nevertheless continued with the dissemination of their inflammatory pamphlets in relative safety while inciting others to commit acts of violence."

There was no evidence that Mr Lee showed any remorse for his conduct and it was clear from a letter before the court that Mr Jenkin was wholly unrepentant, he said.

Mr Jenkin was a research worker at the Institute for Social Development at the University of the Western Cape. Mr Lee was studying for an MA degree at the University of Cape Town. — SAPA

15de-eeuse handskrifte as wysie-aanduidings is dit dikwels moontlik om sulke 16de-eeuse uiterl onderskei en in twee groepe te verdeel, nl. volksl kunsliedere of later rederykersliedere.

Die ou volksliedere is nie alleen nou verwant Franse versies van dieselfde liedere nie, maar wor gekenmerk deur suiwerheid van taal, eenvoud van se ryme, eenvoudige strofobou, herhaling van reëls en 'n voorgaande koeplet voorgekom het, stereotype adj roosken roob, den lichten dach), stereotype woorde (bv. uit die Antwerps liedboek: Hi nam die schone witter hant, Hi leydese onder di linde, Die hisoo : stereotype motiewe en simbole (bv. die nagtegaal as "rozen plukken" as die liefdespel, ens.), 'n springe die invoering van sprekende persone sonder om die n spreker te vermeld, veelvuldige gebruik van verkleinwoorde selfs foute teen die grammatika (bv. die oulogiese afwisseling van die derde met die tweede of eerste persoon).

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Die Middelnederlandse liriek is vir die grootste gedeelte anonieme volkspoësie, maar dit beteken nie dat die gedig as't ware kollektief deur die volk gedig is nie. Ook in geval van die volksliedere was daar altyd 'n enkele persoon - al was dit 'n gewone man uit die massa - wat die lied aanvanklik gemaak het maar deur die mondelinge oorlewering van so 'n teks is daar heel dikwels met verloop van tyd verander, weggelaat of bygevoeg sodat dit moeilik is om te se hoe die lied daar uitgesien het voordat dit vir die eerste maal opgeteken is. Daarby moet 'n mens die populariserende rol van die melodie by hierdie poësie nie vergeet nie. In die tyd toe geskrewe of gedrukte poësie 'n seldsaamheid was, was hierdie

Terror trial sentence: No leave to appeal



Stephen Lee



Timothy Jenkin



Dr P Jenkin



Mrs Jenkin

TIMOTHY JENKIN, 29, and Stephen Lee, 26, were refused leave to appeal against their sentences — 12 and eight years respectively — in the Supreme Court yesterday.

Sentencing the men, who were convicted under the Terrorism Act, Mr Acting Justice Nel said the pamphlets they distributed were during a period of "very serious unrest" and were calculated to incite black people to continue the unrest. The pamphlets, distributed through the post and by 26 "ideological bombs", were, among other things, to encourage people to join banned organizations and to overthrow the government.

In a pamphlet distributed in July 1976 and which described "the brutal murder of our children", people were asked to rally to the call of the African National Congress, the judge said.

He said Jenkin and Lee continued their activities in spite of David Rabkin and Jeremy Cronin receiving 10 and seven years for similar offences in 1976.

"It is evident that the accused were aware of the seriousness of their activities," he said. There was no evidence that they showed remorse for their conduct.

Taking their respective rôles and personal

circumstances into account, Mr Acting Justice Nel sentenced Jenkin to 12 years and Lee to eight.

Both men were acquitted on a second count of contravening the Internal Security Act.

In an application for leave to appeal against the sentences Mr D Scott, for Jenkin, and Mr J Dendy Young, for Lee, described the sentences as "excessive".

Mr Scott based his application on "the disparity between the sentences imposed in the present case and the sentences imposed by the courts previously for

similar offences, particularly in the light of the circumstances in those cases".

He also based it on "the absence of any cogent evidence suggesting any conduct of the accused adversely affected the maintenance of law and order to any material extent".

Mr Young said there was no evidence that Lee intended to endanger law and order. He submitted that the court had "misdirected itself".

The applications were refused by Mr Acting Justice Nel.

The assessors were Mr A J van Niekerk and Mr W A King. Mr T Louw appeared for the State.

Stiff upper lip as sons are jailed

By JANE ARBOUS

NO TEARS were shed by the parents of Timothy Jenkin and Stephen Lee as they listened quietly to their sons being sent to jail yesterday.

"The pain and grief we keep to ourselves," said Lee's sister, Juliet.

Her words summed up the subdued and unemotional atmosphere of the five-day trial which ended in the Supreme Court yesterday morning with Mr Acting Justice Nel's refusal to grant Jenkin and Lee leave to appeal against their sentences of 12 and eight years respectively.

Both men sat and listened attentively to the proceedings, showing little emotion on their pale faces. There were no political statements from the dock nor clenched hand salutes as in the Rabkin and Cronin terror trial two years ago.

Every day a packed court, consisting mainly of friends and relatives, listened quietly without any interruptions.

A few stood crying outside the courtroom after sentence was passed.

Later Mr and Mrs Kenneth Lee of Loader Street, Cape Town, said they would emigrate to England later this year — "a decision we took before Stephen's arrest". Both are British citizens.

Their blonde daughter, Juliet, 23, a graphic artist, said she intended staying here and would visit her brother in Pretoria Central Prison.

"My parents have taken it very badly, but as we are a very closely-knit family, we don't let it show — stiff upper lip and all that," she said.

"Even Stephen put on a brave and cheerful face when we visited him in prison during the trial."

Dr and Mrs P Jenkin said they planned to carry on as usual. "What else can we do? It's not in our hands anymore," Mrs Jenkin said, visibly upset.

Neither Jenkin nor Lee, who chatted to their parents before proceedings began yesterday, showed emotion as they heard their sentences and were led quickly down the stairs to the cells by police.

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Court told of torture

GRAHAMSTOWN — One of the three men appearing in the Supreme Court here charged with sabotage, told the court yesterday he was electrocuted into unconsciousness and beaten with lengths of green hosepipe known as "green power," by police last year.

The man, Mr Nkwenkwe Madela, 20, said the assault took place early on the morning of the June 16 riots in Uitenhage.

Charged with him are Mr Desmond Madlavi, 25, and Mr Mayimbo Rixana, 25.

The three, who are alleged to have burnt six shops and a school during

the rioting, pleaded not guilty to the charges of sabotage, alternatively public violence.

Mr Madela yesterday told Mr Justice Cloete police woke him at 1 am on the day of the riots and took him to an office. There they questioned him about a meeting the previous day.

"When I denied I was there I was beaten by 10 Special Branch men," said Mr Madela.

"They used pipes that are known by the name 'green power,' sjamboks, canes, and their hands.

"I became uncon-

scious after an electric in-

strument was used on me. When the court questioned him, Mr Madela described the electrocution.

"Your face is covered with a black bag put over your head.

"Instruments like rings are put on your fingers and an unseen object is applied to your torso.

"As a result of this, your intestines feel as though they're twisted and your whole body shakes," he said.

He said the shock rendered him unconscious. The police took him home at 4 am.

The case continues. — DDC.

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Court told PAC active on Robben

UTRAL — The Pan Africanist Congress has been active on Robben Island when he arrived, a former Robben prisoner said at the PAC trial in Pretoria yesterday.

Inmates on the island had been told of its policies by two of the 18 accused in the trial — Mr Enoch Mothopeng, 61, and Mr Mark Spinnars, 37 — the State witness said.

The witness had been a member of the PAC in the 1960s and was sentenced to 10 years' jail on the island in 1962.

On his arrival on the island he had found the PAC active there, "but without proper administration." Internal differences had split the members into three groups, which were reunited in 1970 when a secretariat

was formed to tighten discipline and attend to prisoners' complaints.

After his release in 1973 the witness returned to Witbank, where he was restricted for two years before being re-arrested in February last year.

He said he was approached in Witbank by one of the accused, Mr Bennie Ntoele, 38, and another man, who told him they had visited Mr Mothopeng several times in Soweto.

They said Mr Mothopeng had said they had to revive the PAC among ex-Robben Island prisoners. It was suggested to the witness that a PAC cell be formed in Witbank by recruiting high school pupils.

The witness said he did not agree with the sugges-

tion and nothing came of it.

In 1975 the witness visited Mr Ntoele who took him to Mr Isaac Mafatche, who subsequently fled to Botswana.

Mr Mafatche said he was a member of the PAC headquarters in Tanzania and had been sent to South Africa to recruit "as many men and women as possible" for the organization.

The PAC would be concentrating on urban guerrilla warfare in the Republic, Mr Mafatche said, because the situation on South Africa's borders had been "hotting up".

The PAC was to have supplied money for this purpose "to the right people at the right time".

The hearing continues today. — Sapa.

'PAC accused part of Robben Island group'

BETHAL. — Two of the 18 accused in the PAC trial in Bethal had been members of a "communist minded" group of convicted PAC members on Robben Island a state witness said yesterday.

The two were Mr Hamilton Keke, 42, of East London and Mr Mark Shinnars, 37, of Atteridgeville, Pretoria.

There had also been an anti-Communist group of political prisoners on the island. This group had labelled some of the others as "Communist minded"

because they possessed political literature which they would not share with the others.

Another man with "Communist sympathies" was Mr Isaac Mafatche who had later fled to Botswana, the witness said.

The witness was released from Robben Island in 1975 after 12 years. Soon afterwards, he said, he was approached by Mr Bennie Ntoele, 38, of Mamelodi, Pretoria — another of the accused, who was released from Robben Island in 1973.

Mr Ntoele asked about the political situation on the island. The witness told him of the pro and anti-Communist rift.

Mr Ntoele had said Mr Mafatche had been sent to several African states to contact PAC groups there.

In November 1975 Mr Ntoele and Mr Shinnars told him they had been trying to contact Mr Mafatche, and further plans for the revival of the PAC would be made on his return.

The trial continues today. — Sapa.

Youth wrote of 'training' ³³¹ - 10 years' jail

A youth of 17 who wrote two letters to persuade people to undergo military training was jailed for 10 years by a Johannesburg regional court magistrate today.

The letters were written from the Johannesburg Fort just after the youth's arrest. One beginning "Dear Friend" and signed "Former Leader of recruitment organisation" (Sec) contained instructions and a crude map on how to cross the Botswana border.

"You must jump up the mountain called Tshukudibshujwe. The guard are afraid of the mountain. They say there is wild animals there. You must take a spray to protect yourself," the letter read.

The second, addressed to "Dear Rodney," included drawings of the Zambian border gate and automatic weapons.

In writing the letters the youth was found to have committed acts which endangered law and order in South Africa.

Convicting him on two counts under the Terrorism Act, the magistrate, Mr G Steyn, jailed the youth for five years on each count.

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Court told of plan to bomb EL chain stores

WHITTLESEA — An Mdantsane man, Mr Khumbele Hector Mnikina, 26, yesterday denied in the Regional Court here he manufactured bombs to destroy places in East London such as OK Bazaars, Checkers, the Mdantsane Hotel and the airport.

Mr Mnikina, who is defending himself, appeared before Mr F. A. du Preez charged with two counts under the Terrorism Act and one count of house-breaking.

He pleaded not guilty to the three counts and their alternatives. On the first count, Mr Mnikina is accused of taking steps to incite, instigate, advise, command or encourage ten young people to undergo military training for terrorism or subversion in Botswana and or Russia or elsewhere.

On count two he is accused of attempting to commit or conspiring with the ten young people to manufacture bombs with the purpose of destroying private places in East London.

Alternatively, he is accused of manufacturing bombs which would have endangered the safety of the public.

On the third count, Mr Mnikina is charged with breaking into Gcisa Technical School, Mdantsane, or commanding or procuring the ten to do so.

He is accused of stealing chemicals and other laboratory equipment from Gcisa.

Mr Mnikina admitted knowing the ten people he is alleged to have influenced.

Outlining the basis of his defence, Mr Mnikina said he tried to divert the ten people from the cause that wanted to make them leave the country.

"I did not assist them or advise them to leave," he said.

Referring to count two, he admitted the accomplices brought chemicals to his house but said he "acted in a manner to prevent the youths from doing it."

Mr Mnikina said he attempted to dispose of the chemicals, but the police arrived too soon.

"I realised the chemicals could be dangerous if put into the wrong hands," he said.

On count three, Mr Mnikina said the burglary at Gcisa took place without his knowledge and was not organised by him.

Capt P. Schoeman of the Special Branch at Cambridge said he went to Mr Mnikina's house on January 20 this year after receiving information.

He found the 10 young people there and two cartons containing the chemicals and laboratory equipment before the court. He also found some science books and a hard-backed black book. Mr Mnikina was not present but the 10 others appeared

to be under the influence of alcohol.

There was a diagram in the black book with instructions on how to make a bomb and the words "combination bomb".

A request by the prosecutor, Mr J. J. Nortje, to have the court cleared and the case heard in camera because some of the witnesses feared intimidation, was granted.

The press were allowed to remain providing they did not name the witnesses, some of whom would be warned as accomplices.

A former East London factory worker told the court that in July last year he had attended a BPC meeting with a friend called Aubrey who was also a member of Saso.

He said the chairman of the BPC in Mdantsane, Mr Tululu, was present. He said Aubrey gave him a BPC pamphlet and he got rid of it as he was scared of the BPC.

When he met Mr Mnikina, Mr Mnikina told him he did not go along with the BPC as it had many informers. The BPC also did not believe in armed struggle.

"He said he believed in armed struggle and said we must open a shebeen to collect funds to recruit people for training in

Botswana," the witness said.

Mr Mnikina had told him these people would come back and fight the South African Army from within to liberate the black man.

"He told me the time for confrontation was over. We had only time for fighting now," the witness said.

On another occasion when the witness met Mr Mnikina, he said he had suggested they retaliate against the Green Berets who were assaulting people in King William's Town.

"I was not keen. I said why go to King William's Town when we had Green Berets at Mdantsane."

The following day the witness met Mr Mnikina who told him of plans to go to Lesotho in December to prepare for "those who would be coming later."

Those people were going to be recruited for military training.

"He told me he wanted to contact Dr Agostino Neto," the witness said. He could not remember what country Dr Neto was the leader of, but agreed that it was Angola when it was put to him by Mr Nortje.

The case continues today. — DDR.

STAR 27/6/78

2 (331)

PAC men in secret visit to Tanzania

Own Correspondent

D.A.R. ES. SALAAM —

Several members of South Africa's banned Pan Africanist Congress (PAC) have secretly left the Republic to attend a meeting of the organisation in Tanzania today. They intend to return just as clandestinely.

The conference is intended to make a thorough assessment of the situation in South Africa in the wake of the 1976 Soweto uprisings, and to discuss future tactics aimed at achieving majority rule in South Africa.

At the meeting PAC will elect a new president to replace Mr Robert Sobukwe, the founder and president of the organisation, who died in February.

More than 150 delegates will attend the conference, including those from what is known as the "home front" who have smuggled themselves out of South Africa.

In addition about 50 observers from other South African organisations, including the black consciousness movement, the South African Students' Organisation and the Black Workers' Union, are expected to send delegates.

Terror trial told of break-in for chemicals

(331)

29/6/58

WHITLSEA — A group of young Mdantsane men's failure to raise funds to undergo military training led their leader into persuading them to steal chemicals for bombs to wreck East London buildings.

This was evidence before Mr F. A. du Preez here yesterday at the trial of an Mdantsane man, Mr Khumbele Hector Mnikina, 26.

He is charged with two counts under the Terrorism Act and one of housebreaking.

Mr Mnikina, who has pleaded not guilty to the three charges and their alternatives, is conducting his own defence.

He is charged with inciting and encouraging ten young people to undergo military training for terrorism in Botswana, Russia or elsewhere; of attempting with the ten to manufacture bombs to destroy places in East London or alternatively of manufacturing bombs which would have endangered the safety of the public; with breaking into Geisa Technical School,

Mdantsane, and stealing chemicals and other laboratory equipment.

A 17-year-old Std 5 pupil told the court that when Mr Mnikina first met the group, he told them he was a member of the BPC.

"He asked us for our names and said we would go for military training in Nigeria.

"He said we would visit Angola, Cuba and Nigeria to meet Tsietsi Mashinini — the exiled Soweto student.

"From Nigeria he would shoot straight to Moscow where he would demand arms," the witness said.

When they were trained, they would fight the South African Army and, in the meantime, they would work from within, the court heard.

"The big trouble during the whole issue was money," the witness said.

Mr Mnikina said he would go to "Khaya Biko" and another witness said he would try to meet Mr Ncokazi and try to get money.

The witness said Mr Mnikina told them Jesus Christ was a politician and a revolutionary. Mr Mnikina likened the stoning to death of St Stephen to the death of Steve Biko. "Did the attempt to get

money succeed?" the prosecutor, Mr J. J. Nortje, asked.

"It ended in a fiasco," the witness said.

He told the court Mr Mnikina said they must work in East London and try to get chemicals from the Technical College.

After they had the chemicals, they were to prepare bombs and test them in the bushes. Then they were to bomb two detectives and OK Bazaars, Checkers, the airport, the XDC and the Trust Bank.

The witness said four of them broke into the Geisa Technical School and stole chemicals and equipment which they took to Mr Mnikina's house. They experimented with the chemicals.

Mr Mnikina suggested they use an aerosol can to try to make a bomb, but this proved futile.

Cross-examining the witness, Mr Mnikina put it to him that it was untrue he had claimed to be a member of the BPC. He accused the witness of being a Security Police informer and said the witness had received R150 from them to buy shoes if he gave information about him.

The witness told the court they had been told

by Mr Mnikina that, if arrested, they should resist telling the truth.

He had, however, told them that if "they get a little tough and the assault is unbearable, they may as well tell the truth. He gave us strength."

He also told the court he was not afraid of dying if a bomb exploded while in his possession.

But throughout the witness' cross-examination, Mr Mnikina denied he had encouraged the group to stake their lives or break into any schools.

"It was your own idea," he told the witness.

Another witness who could not be named told the court Mr Mnikina and four members of the group had visited him and Mr Mnikina discussed complaints about Bantu education. Mr Mnikina also informed him 500 people were leaving South Africa for military training, of whom 50 would come from Mdantsane.

The state closed its case and Mr Mnikina made a long sworn statement from the witness box.

He told the court that when he met the witness, who was to have gone to Transkei in September,

the witness tried to persuade him to join the BPC. He objected because of confusion over some of the principles which had become distorted.

He lectured to the group, he said "de-ideologising them and re-humanising them."

He said the Transkei witness had tried to persuade him to leave the country, but he had consistently refused as he felt matters should be put right from within.

Mr Mnikina also said he had forbidden the group to use chemicals in his room and he had intended disposing of them in a dar the weekend after they were all arrested.

He had intended to educate the group and to try to persuade them not to leave South Africa for military training.

"Their frustration arises from education, rather than political objectives," he told the court.

He outlined a revised system of education that would replace Bantu education with British examinations which he had told one of the witnesses about.

The case continues today. — DDR.

Sabotage trio to be sentenced today

GRAHAMSTOWN — In finding three men guilty in the Supreme Court here yesterday of sabotage, the Judge President, Mr Justice Cloete, said they had committed a crime of massive proportions.

The men, Mr Desmond Madlavu, 25, Mr Mayimbo Rixana, 25, and Mr Nkwenkwe Madela, 20, were found to have committed various acts of looting, assault and arson during a day of unrest in Uitenhage on June 16 last year.

They pleaded not guilty to sabotage and an alternative count of public violence.

Sentence will be passed today, the 19th day of the trial.

Five policemen, in addition to the two police orderlies normally in attendance, were present in court yesterday.

In a 3½ hour judgment, Mr Justice Cloete said there was little doubt that Mr Madlavu had been a leader in the events on the day of rioting. He had taken the initiative in tell-

ing people to break open fences, pouring paraffin in shops and attacking policemen with stones.

Mr Rixana and Mr Madela had also exhibited the roles of leaders on that day.

Mr Justice Cloete rejected the evidence of the defence and its alibi witnesses as false and accepted the main body of State evidence.

The court had been asked by Mr Madlavu to accept that the State, and especially the police, had fabricated a case against him and that a Presbyterian minister had joined in this fabrication by giving perjured evidence.

"The court cannot accept that a man who has been an ordained minister of the church for 29 years would allow himself to take part in such a despicable manner in so serious a case as this one," the judge said.

He found that all three had taken part in marching and riotous

assembly, in the stoning of Administration Board employers and the burning of their vehicles, in the looting and burning of four shops, and in the burning of Ilange Primary School.

Mr Justice Cloete noted that damage of R194 200 had been caused by these specific acts and that the cost of repairing the damage would be considerably higher.

In his address in mitigation of sentence, Mr J. Muller, for the three men, said a substantial distinction should be made between the sentence imposed on Mr Madlavu and that on the other two.

Mr Rixana and Mr Madela had been schoolchildren at the time of the offence, he said. Mr Rixana had turned 18 a day after the riots.

Mr Justice Cloete granted an indemnity to all the State witnesses who had been warned as accomplices with the exception of two who were declared hostile. — DDC.

(331) 30/6/78

Terrorism Act man says BPC too violent

WHITTLESEA — An Mdantsane man charged with sabotage and terrorism told the Regional Court here yesterday he was opposed to the Black People's Convention because it was too violent for him.

This evidence was given in the Ciskei Regional Court by Mr Khumbele Hector Mnikina, 26, who is charged with two counts under the Terrorism Act and one of house breaking.

Mr Mnikina, who is conducting his own defence, has pleaded not guilty to the three charges and their alternatives.

He is charged with inciting and encouraging 10 young people to undergo military training outside South Africa; of attempting to manufacture bombs with the 10 to destroy places in East London or manufacturing bombs which would have endangered the public; and with breaking into Geisa Technical School, Mdantsane, and stealing chemicals and other laboratory equipment.

The case is being held in camera for the protection of witnesses.

Under cross-examination by the prosecutor, Mr J. J. Nortje, Mr Mnikina agreed the Government was justified in banning the BPC and Saso. He also believed the homelands should be a political channel for the people, but believed they should be made aware of the meaning of the vote.

Mr Nortje asked Mr Mnikina if he was aware the boxer Mlukisi Sikweyiya was detained after riots in Mdantsane in 1977 and for his part in the burning down of a school. Mr Nortje also asked him if he knew that Sikweyiya started riots in Graaff-Reinet in March.

Mr Mnikina said he was not aware of this.

In reply to another question by the

prosecutor, he also said he did not know Robert Sobukwe had visited Steve Biko and Saso's headquarters in 1975.

When asked if he had been assaulted by Capt P. Schoeman, the head of Security Police at Cambridge, Mr Mnikina replied no.

Asked if Mr Nortje was lying when he put it that Mr Mnikina had said during a recess of the court on Wednesday: "I will tell you, you bastard, you won't kill me like you did Mohapi." Mr Mnikina said he did not hate Capt Schoeman and liked him as a friend and he would not say Mr Nortje was a liar but he was just mistaken.

"For what are you actually struggling?" asked Mr Nortje.

"I am not a struggler. I have already found my meaning, but I can assist a man if he is frustrated," Mr Mnikina said.

"What do you mean?" asked the magistrate, Mr F. A. du Preez.

"I mean to administer psycho-therapeutic treatment," Mr Mnikina replied.

During the cross-examination, Mr Mnikina said he neither adored Steve Biko nor was he his hero.

"Did you know Steve Biko knew Donald Woods?" Mr Nortje asked.

— "No."

Did you know Woods, through the Daily Dispatch, gossiped the BPC? — No.

Did you know Woods tried to join the BPC because he thought that would be an alternative government? — No.

When it was put to him that Donald Woods stirred the emotions of people through an article titled Preparing to meet ALF, in which Steve Biko was placed in line with leaders like Nelson Mandela and Robert Sobukwe, Mr Mnikina said he had not read the article.

The only place where Mr Mnikina felt Donald Woods had stirred the feelings of the people was in the reporting of the death of Steve Biko.

Mr Mnikina told the court he was not against Bantu education and felt it had done nothing wrong to him. But he was trying to prevent the boys he was involved with from recklessness because of their disenchantment with Bantu education.

He denied a proposition by the prosecutor that he wanted to take the place of Steve Biko and said he did not want to join the BPC because it was violent and the BPC was operating under a "smoke-screen with violent intent."

Mr Nortje asked Mr Mnikina why he had told the witness who allegedly went to Transkei for funds that he rejected the BPC because it was non-violent and had been infiltrated by informers.

Mr Mnikina denied he had said this.

When asked why he had not reported the 10 boys who were experimenting with chemicals in his house to manufacture bombs, he said he did not have time to report it to the police and thought he could change the course of the boys.

A 15-year-old schoolboy who was one of the 10 peo-

ple Mr Mnikina is alleged to have incited was called by Mr Mnikina as a defence witness.

"Was I your leader?" Mr Mnikina asked.

"You were not our leader, but we respected you as an elder. We had freedom of what we said, but not what we did."

The boy told the court he had thought of raiding the technical college to get chemicals for bombs and Mr Mnikina had said it was a good idea.

He told the court Mr Mnikina did not take part in any of the experiments.

"In other words, would you say you got the chemicals for your own use?" Mr Mnikina asked.

"I would say we got the chemicals for us, including you. You were sailing in the same boat. We were acting in concert," the boy said.

The case continues today. — DDR.

Court told of plan to bomb EL chain stores

WHITTLESEA — An Mdantsane man, Mr Khambole Hector Mnikina, 28, yesterday denied in the Regional Court here he manufactured bombs to destroy places in East London such as OK Bazaars, Checkers, the Mdantsane Hotel and the airport.

Mr Mnikina, who is defending himself, appeared before Mr F. A. du Preez charged with two counts under the Terrorism Act and one count of house-breaking.

He pleaded not guilty to the three counts and their alternatives. On the first count, Mr Mnikina is accused of taking steps to incite, instigate, advise, command or encourage ten young people to undergo military training for terrorism or subversion in Botswana and or Russia or elsewhere.

On count two he is accused of attempting to commit or conspiring with the ten young people to manufacture bombs with the purpose of destroying private places in East London.

Alternatively, he is accused of manufacturing bombs which would have endangered the safety of the public.

On the third count, Mr Mnikina is charged with breaking into Geisa Technical School, Mdantsane, or commanding or procuring the ten to do so.

He is accused of stealing chemicals and other laboratory equipment from Geisa.

Mr Mnikina admitted knowing the ten people he is alleged to have influenced.

Outlining the basis of his defence, Mr Mnikina said he tried to divert the ten people from the cause that wanted to make them leave the country.

"I did not assist them or advise them to leave," he said.

Referring to count two, he admitted the accomplices brought chemicals to his house but said he "acted in a manner to prevent the youths from doing it."

Mr Mnikina said he attempted to dispose of the chemicals, but the police arrived too soon.

"I realised the chemicals could be dangerous if put into the wrong hands," he said.

On count three, Mr Mnikina said the burglary at Geisa took place without his knowledge and was not organised by him.

Capt P. Schoeman of the Special Branch at Cambridge said he went to Mr Mnikina's house on January 20 this year after receiving information.

He found the 10 young people there and two cartons containing the chemicals and laboratory equipment before the court. He also found some science books and a hard-backed black book. Mr Mnikina was not present but the 10 others appeared

to be under the influence of alcohol.

There was a diagram in the black book with instructions on how to make a bomb and the words "combination bomb".

A request by the prosecutor, Mr J. J. Nortje, to have the court cleared and the case heard in camera because some of the witnesses feared intimidation, was granted.

The press were allowed to remain providing they did not name the witnesses, some of whom would be warned as accomplices.

A former East London factory worker told the court that in July last year he had attended a BPC meeting with a friend called Aubrey who was also a member of Saso.

He said the chairman of the BPC in Mdantsane, M. Tululu, was present. He said Aubrey gave him a BPC pamphlet and he got rid of it as he was scared of the BPC.

When he met Mr Mnikina, Mr Mnikina told him he did not go along with the BPC as it had many informers. The BPC also did not believe in armed struggle.

"He said he believed in armed struggle and said we must open a shebeen to collect funds to recruit people for training in

Botswana," the witness said.

Mr Mnikina had told him these people would come back and fight the South African Army from within to liberate the black man.

He told me the time for confrontation was over. We had only time for fighting now," the witness said.

On another occasion when the witness met Mr Mnikina, he said he had suggested they retaliate against the Green Berets who were assaulting people in King William's Town.

"I was not keen," he said, "why go to King William's Town when we had Green Berets at Mdantsane?"

The following day the witness met Mr Mnikina who told him of plans to go to Lesotho in December to prepare for "those who would be coming later."

Those people were going to be recruited for military training.

"He told me he wanted to contact Dr Agostino Neto," the witness said. He could not remember what country Dr Neto was the leader of, but agreed that it was Angola when it was put to him by Mr Nortje.

The case continues today. — DDR.

17 years for man who made bombs

Mr Du Preez told the court the evidence showed Mr Mnikina had encouraged the witnesses both mentally and physically to leave the country for military training.

The witnesses had told the court they would return to fight the South African Army against the oppression of blacks.

Mr Mnikina had showed them a route to Angola through Transkei and Lesotho.

The Magistrate said Mr Mnikina had even remarked to one of the witnesses who had his trousers tucked into his boots he would

WHITTLESEA — An Mdantsane man, Mr Khumbele Hector Mnikina, was sentenced to 17 years imprisonment in the Regional Court here yesterday after being found guilty of manufacturing bombs to destroy buildings in East London and Mdantsane.

Mr Mnikina, who conducted his own defence, will have to serve 13 years of the sentence in prison.

On count one of inciting, instigating, encouraging, commanding or encouraging ten young people to undergo military training for terrorism or subversion outside South Africa, Mr Mnikina was sentenced to eight years.

The Magistrate, Mr F. A. du Preez, said: "The punishment must fit the crime. This is a very serious offence. It disrupts the whole community."

On count two Mr Mnikina was found guilty of attempting to commit or conspiring with ten young men to manufacture bombs with the purpose of destroying places in East London such as OK Bazaars, Checkers, the Mdantsane Hotel and the airport.

The Magistrate also gave him eight years for this count three of which were suspended for five years.

On the third count of breaking into Gcisa Technical School, Mdantsane, and stealing chemicals and laboratory equipment, Mr Mnikina was found not guilty.

He was, however, found guilty on an alternative charge of being in possession of the stolen chemicals without being able to explain for them. For this offence he was sentenced to one year which would run concurrently with the rest of his sentence.

look just like that except he would have an AK 47 in his hands.

He said all the state witnesses had been reliable and one of them had explained the bombs were to be used in March this year.

Another witness explained Mr Mnikina was the master brain behind the scheme and was the leader of the group. He was also prepared to take part in the activities.

Mr Du Preez explained how another witness had told the court the group would use the bombings to demand the release of political prisoners. "He even said he was prepared to die for what he was doing."

Most of the case was heard in camera and most of the witnesses could not be identified because the prosecutor, Mr J. J. Nortje, told the court he feared some of the witnesses might be intimidated.

Mr Mnikina's own witness had even told the court the ideas for military training came from Mr Mnikina, said the magistrate.

Mr Mnikina had pleaded not guilty to all the charges.

Pleading in mitigation he said he had not been involved "all that much."

He said he had a wife and a child in Transkei and was financing the education of two boys.

He had a job as a work study officer at an East London factory.

Mr Nortje said Mr Mnikina was a confused person.

He was a real danger to people and his friends. If the court imposed the minimum sentence he would get ten years, he said. — DDR.

PAC expels top officials

DAR ES SALAAM. — The banned South African black nationalist movement, the Pan-Africanist Congress, has expelled seven former central committee members.

A statement issued on Monday at the end of a six-day meeting in the northern Tanzanian town of Arusha, accused the seven of dishonesty. It did not elaborate.

It also said 60 PAC members had been given seven days to disassociate themselves from the expelled leaders.

The expulsions climaxed a six-month power struggle within the movement which at times erupted into violent clashes among members living in exile in Tanzania.

The statement named the expelled members as the former PAC deputy chairman, Mr T M Ntanjane, Mr P Goobose, Mr T M Madi, Mr P Z Mboko, Mr P Mchanyo, Mr Z Mokone and Mr J N Jako.

The meeting was attended by 100 PAC members, who elected Mr Potlako Tlhabo as party chairman, but did not elect a president.

Mr Tlhabo had been acting president during the imprisonment and banning in South Africa of PAC founder and president, Mr Robert Sobukwe.

The statement did not say whether the post of president had been abolished or would remain vacant.—Sapa-Reuters.

Jail for hiding grenade

JOHANNESBURG — A Soweto man who kept items from a cache of ammunition and explosives found in the veld, was sentenced to 7½ years imprisonment by a Regional magistrate here yesterday.

Mr David Moroke, 51, was acquitted of having the items for terrorist purposes, but convicted of the illegal possession of a revolver, assorted ammunition and a hand-grenade.

The cache, found by a nine-year-old boy in a stream in Soweto, contained TNT, plastic explosive, anti-personnel mines as well as ammunition and hand-grenades.

The court was told earlier that Mr Moroke, who handed most of the cache to the Police, kept some of the items by mistake.

But the magistrate, Mr G. Steyn, rejected this and referring to a hand-grenade found hidden in the roof of Mr Moroke's workshop, said the "unavoidable inference" was that Mr Moroke had no intention of handing it to the police.

He was satisfied there was no political motive for Mr Moroke keeping the items.

Half the sentence was conditionally suspended for five years. — SAPA.

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1. INTRODUCTION

Segmented or dual labour market theories (1) have strongly challenged the orthodox view of the classical and neoclassical economists (referred to as orthodox economists). The segmented labour market economists (referred to as SLM economists) are deeply concerned with social justice and feel that traditional theories fail to explain adequately many events in the labour market. They feel that the workers are being strongly motivated by ideology.

They have pointed out various instances of social inequality resulting from the operation of the labour market. For instance, SLM economists take issue with the view that poverty is an individual failure that can be corrected by individual adaptation. The SLM approach is very much concerned with the specific problems of power and employment.

Orthodox labour economics consists of the marginal productivity theory of demand, based on the profit maximising behaviour of employers, and a theory of utility maximisation by workers. Employers are predicted hiring decisions on the basis of whether new employees are likely to be worth as much as they cost, whilst workers supply labour in preference to more leisure in proportion to the real wage.

When considering the analysis presented below, it is felt that the position of Black workers and white employers and "privileged" workers lends itself particularly well as a reference point. The application of the South African model is self-evident in most of the theories discussed and hence specific reference to the Black-White situation in South Africa is not considered necessary.

2. KEY ISSUES RAISED BY SLM ECONOMISTS

The most important social problem motivating the SLM economists is the persistence of poverty, which they feel is best understood in terms of a dual labour market. The poor are confined to a secondary labour market, and eliminating poverty requires that they gain access to primary employment (2).

SLM economists have criticised human capital theory on two grounds. Firstly, education and training programmes are accused of having failed to improve wages. Both educational resources and educational achievement are asserted to have been ineffective in realising income and occupational attainment. Secondly, the orthodox theory that education and earnings are related to productivity has been rejected by SLM economists. They argue that education reflects only a screening device for employers.

Discrimination in labour markets is viewed as evidence of the failure of the orthodox theory of competition. SLM economists assert that standard competitive assumptions predict that any differences in individual differences tend to disappear, but this has not been supported by observed labour market behaviour. Similarly SLM economists feel that the level and rate of unemployment cannot be explained by orthodox theory.

(1) The theories, though not entirely uniform, of a group of labour economists in the U.S.A., which deal with segmented labour markets. Amongst the noted SLM economists are P.B. Doeringer, M.J. Piore, L.C. Thurow, R.E.B. Lucas and B. Bluestone.

(2) See M.J. Piore - "Jobs and Training" in the States and the Poor, edited by S.H. Beer and R.E. Barringer (Winthrop Press, Cam., Mass., 1976).

3. A HISTORICAL PERSPECTIVE OF SLM THEORIES

SLM economists were certainly not the first to question the orthodox view of the labour market, and before analysing SLM theories it is necessary to trace their roots, which surely provided the inspiration.

J.S. Mill (3) pointed out in 1848 that the division of labour which compensates for the disadvantages of the division of labour would be the natural result of competition. However, he asserted that it would be false to regard this as the general relation between agreeable and disagreeable employment.

The worst jobs, instead of being better paid, receive the lowest remuneration, because they are performed by those who have no choice. Hardships and earnings are not directly proportional to the effort expended. It would predictably but are generally in inverse ratio to one another. "Artificial" and natural monopolies, and the socialisation process, divide society into non-competing groups. Hence, the main thrust of Mill's argument is the existence of a social structure.

The State alleges that the two men recruited people to undergo military training in Swaziland. The people were recruited from Soweto and Pretoria between November 1977 and February 1978.

They will appear in court on August 14.

Mr Tharazimbi has been in detention since March 3 this year and Mr Matlala since March 17.

In three separate charges, the State claims Mr Tharazimbi recruited 17 people and transported them to Swaziland where they were handed over to Mr Joe Mkhwanazi, of the Pan African Congress.

The charge against Mr Matlala relates to meetings he allegedly held at his house with Mr Tharazimbi in January and February this year. The meetings were allegedly held to recruit people to undergo military training.

Two face terror charges

By ZWELAKHE SISULU
TWO Pretoria men, Mr David Mothlabedi Tharazimbi, 28, and Mr William Matlala, 36, will appear in the Pretoria Supreme Court next month to face five charges under the Terrorism Act.

The State alleges that the two men recruited people to undergo military training in Swaziland. The people were recruited from Soweto and Pretoria between November 1977 and February 1978.

They will appear in court on August 14.

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... of orthodox models. Employment relationship.

The proponents of the structuralist argument (7), which has gained popularity in the last two decades, assert that the structuralist argument are due to structural imbalances. Aggressive policies and the free market are not considered capable of eliminating these problems. Maree (1978) has used this framework in analysing the persistence of Black underemployment in South Africa. He states that "Only basic changes in these (the socio-political and economic) structures are going to eliminate extensive underemployment". (8) Maree isolates these structural causes as the historical creation of a supply of unskilled labour, the industrial labour bar, capital intensive technology and the institutionalisation of the colour bar.

Mill - Principles of Political Economy: Volume 1 (The Colonial Edition) (1900)

Chamberlain, R. Marshall and C.A. Myers.

Structuralist economists included J.T. Dunlop, C. Kerr, G.G. Cain - page 227.

Structuralists included C.C. Killingsworth and G. Myrdal.

Page 1.

SUPREME GRAND CHAPTER OF SOUTH AFRICA

PORT ELIZABETH — Three young men who pleaded guilty to being members of an underground liberation movement were yesterday found guilty in the Regional Court here of contravening the Suppression of Communism Act.

Answering questions by the magistrate, Mr A. S. McCarthy, the three men — Mr Mlukeki George, 31, of King William's Town, Mr Simon Mlonyeni, 26, of Mdantsane, and Mr Phila Nkayi, 22, of Grahamstown — admitted to being members of the "People's United Front for the Liberation of South Africa."

Mr George and Mr Mlonyeni were each sentenced to five years imprisonment, of which a year was suspended for five years. Mr Nkayi was sentenced to four years imprisonment, of which a year was suspended for five years.

The men admitted that the movement was aimed at bringing about industrial, social and political change in South Africa by spreading the doctrine of socialism and Marxism.

They also admitted establishing secret cells to recruit new members and raising financial aid to promote the aims of the organisation.

They said they had concealed seven people wanted by the police and that they had helped two people leave the country.

The State said the men tried to further and achieve the objectives of the organisation in the Port Elizabeth, Grahamstown, King William's Town, Uitenhage and Albany districts.

In passing sentence, Mr McCarthy said the men had committed a serious offence aimed at the Government which was intended to be overthrown by disturbance and disorder. — DDC.

(page)

Thank you for your booklet

Inquest finds bomb killed terror suspect

JOHANNESBURG — An alleged terrorist, Mr Roland Sibisi, died in a house in Alexandra here when a home-made bomb he was making exploded, an inquest court has found.

Mr Sibisi was killed instantly in the explosion on April 5. Both his hands and a portion of his face were blown away in the blast, which also destroyed the house.

Another alleged terrorist who lived in the house with Mr Sibisi disappeared after the explosion and police are still searching for him.

The investigating officer, Lt P. van Niekerk of the Security Police at John Vorster Square, said the wreckage of the house was inspected by explosives experts.

His investigation showed Mr Sibisi had left South

Africa in the second half of 1976 for military training overseas. He had returned to South Africa late last year.

Fearing arrest, Mr Sibisi had not gone to his parents' home in Soweto, but to a friend, Mr Ntime Montwedi, owner of the wrecked house.

Mr Montwedi fled after the explosion and was being sought. The police believed he had been involved in terrorist activities with Mr Sibisi, Lt Van Niekerk said.

An explosives expert, Mr A. van Sittert, told the court he found about 500 grams of TNT, broken into pieces, and detonators at the scene of the explosion. The explosives were of foreign origin.

The magistrate found Mr Sibisi died of injuries received when one of the bombs he was making exploded. — SAPA.

castes, ideology and prescription internalized by both women and men seem to be as much a causative factor as are material changes in production relations. Does the entry of lower-class women into industrial production really bring them closer to "liberation"? In the absence of institutional changes such as the right to abortion and safe contraception, altered child rearing arrangements, and varied options for sexual expression, changes in economic relations may become oppressive. Unless such changes are accompanied by changes in consciousness, which in turn result in institutional changes, they do not favorably affect the lives of women.

Is smaller family size the result of "domestic freedom" of choice exercised by women, the freedom of choice exercised by men, the ideologically buttressed coercion of institutions in the service of an economic class? Is it for women's liberation? This raises another

The hearing continues today.

It is the largest Terrorism Act trial. The indictment runs 50 pages and covers events over 14 years in seven cities in South Africa, and in three foreign countries.

Some of the evidence led at the trial in the last six months involves:

Attempts by some of the accused to revive the PAC while serving sentences on Robben Island during the 1960's — they formed cells and held secret meetings to lecture on the aims of the organisation;

The launching of a religious organisation in Krugersdorp — used as a cover for the PAC — which was used to "conscientise" youths into associating themselves with the PAC by going for military training and participating in acts of violence and destruction during the unrest in Kagiso Township last year.

The trial — being held in camera to protect black State witnesses — is expected to go on for at least a year. — SAPA.

PAC trial told of new aims

BETHAL — The Pan Africanist Congress had accepted a policy of Marxist-Leninism, it was claimed in the circuit court here yesterday.

Mr X, a State witness who may not be identified in the trial of 18 alleged members of the PAC, was giving evidence before Mr Justice Curlewis.

All the accused have pleaded not guilty to charges of participating in terrorist activities, alternatively of furthering the aims of the banned PAC.

The witness told the court of a meeting where a PAC report was discussed with him and two of the accused, Mr Ben Ntoele and Mr Mark Shinnars, in Pretoria in January 1976.

The report from PAC headquarters in Tanzania was read by Mr Sakie Mafatsche who told them they must revive the PAC and recruit people for military training.

He said the PAC outside South Africa was expanding and that the PAC had accepted a policy of Marxist-Leninism.

After the report was read, Mr Shinnars said they should not repeat their mistakes of the 1960's when they worked in great numbers and were all arrested. He said they should work in small groups for protection, so that if one group was arrested, it could not reveal anything about any other group.

sexual values and myths; female consciousness. Further, all of be analysed taking factors of race, class, ethnicity, and possibly consideration. What we have here is not a single framework for women in history, but new questions to all of universal history. Stage may be to explore the possibility that what we call may actually be the study of a separate women's culture. It would include not only the separate occupations, status, and rituals of women but also their separate consciousness, which patriarchal assumptions. In some cases, it would include the in that culture between the prescribed patriarchal assumptions' efforts to attain autonomy and emancipation.

Joan Kelly-Gadol¹³ offers the useful suggestion that attitudes toward sexuality should be studied in each historical period. She considers the constraints upon women's sexuality imposed by society a useful measure of women's true status. This approach would necessitate comparisons between prescribed behavior for women and men as well as indications of their actual sexual behavior at any given time. This challenging method can be used with great effectiveness for certain periods of history and especially for upper- and middle-class women. I doubt that it can be usefully employed as a general criterion, because of the difficulty of finding substantiating evidence, especially as it pertains to lower classes.

I raised the question of a conceptual framework for dealing with women's

history in 1969, reasoning from the assumption that women were a subgroup, a particular and problematic group, different from any other subgroup in history.¹⁴ Neither caste, class, nor race quite fit the model for describing us. I have now come to the conclusion that the idea that women are some kind of a sub-group is wrong. It will not do—there are just too many of us. No single framework, no single-factor, four-factor, or eight-factor explanation can serve to contain all that the history of women is. Picture, if you can, an attempt to organize the history of men by using four factors. It will not work; neither will it work for women.

Women are and always have been at least half of humanity and most of the time have been the majority of humanity. Their culturally determined and psychologically internalized marginality seems to be what makes their historical experience essentially different from that of men. But men have defined their experience as history and have left women out. At this time, as during earlier periods of feminist activity, women are urged to fit into the empty spaces, assuming their traditional marginal, "sub-group" status. But the truth is that history, as written and perceived up to now, is the history of a minority, who may well turn out to be the "sub-group." In order to write a new history worthy of the name, we will have to recognize that no single methodology and conceptual framework can fit the complexities of the historical experience of all women.

The first stage of "transitional history" may be to add some new categories to the general categories by which historians organize their material: sexuality, reproduction, the link between child-bearing and child-rearing; role of women in history, but new questions to all of universal history. Stage may be to explore the possibility that what we call may actually be the study of a separate women's culture. It would include not only the separate occupations, status, and rituals of women but also their separate consciousness, which patriarchal assumptions. In some cases, it would include the in that culture between the prescribed patriarchal assumptions' efforts to attain autonomy and emancipation.

A growing stage may develop a synthesis: a history of the dialectic, the tensions between the two cultures, male and female. Such a synthesis could be based on close comparative study of given periods in which the historical experience of men is compared to that of women, their tensions and interactions being as much the subject of study as their differences. Only after a series of such detailed studies can we hope to find the parameters by which to define the new universal history. My guess is that no one conceptual framework will fit so complex a subject.

Methods are tools for analysis—some of us will stick with one tool, some of us will reach for different tools as we need them. For women, the problem really is that we must acquire not only the confidence needed for using tools, but for making new ones to fit our needs. We should do so relying on our

steam engine—the decisive invention of that revolution, the source of power vastly greater than men, or horses, or waterwheels could provide. What has been called the “invention of invention” multiplied the number of devices used in the production of goods: while in the century between 1660 and 1760, the average number of patents granted in England was sixty, in the years between 1760 and 1790, that number rose to three hundred twenty-five. This was the period in which the factory began to emerge, and the factory—a central building with machinery, on which workers converged for stated periods of time—was an invention like that of the steam engine. The factory demanded something new: the regular employment of labor. It put a premium on what came to be called “industrial discipline”—the workingman’s ability and willingness to report for work on schedule, every day, for the machines were voracious and could not stand idle. These moral and psychological requirements went hand in hand with improvements in commercial and banking techniques which eased the transfer of funds, and with the agglomeration of sprawling industrial cities, in which the working population clustered in increasing numbers—and increasing misery.

In some industries, notably in textiles, these spectacular improvements were truly revolutionary. John Kay’s flying shuttle, patented in 1733, cut the number of weavers needed to work the loom from two to one. In about 1764, James Hargreaves invented the spinning jenny, a modern mechanical version of the spinning wheel. His first version permitted the simultaneous working of eight spindles; in 1770, when the jenny was patented, it was capable of handling sixteen. The year before, the gifted Richard Arkwright had patented the water frame, and ten years later, in 1779, Samuel Crompton patented the spinning mule. These two inventions permitted the spinning of fine and coarse yarns in unprecedented, hitherto almost unimaginable quantities. And, significantly enough, in 1785 Watt’s steam engine was harnessed to these devices, and factory mass production of cloth was under way. Yet, despite all this, the Industrial Revolution was a slow and uneven growth. It began in England: Germany saw its first steam engine in 1785, and factories in France long remained small. And even in England, the factory town did not spring up overnight: by 1790 there were still fewer than a thousand spinning jennies in operation. The old commercial mentality, the old handicraft industries, and the old small-scale enterprise were tenacious survivals. Through the eighteenth century, Europe remained a predominantly rural society.

This in itself was not a sign of stagnation. There was no rigid separation between agricultural and industrial occupations; before the age of the factory, employers of labor depended largely on the domestic system. They engaged workers, rural and urban, to do their work at home. This held true for England, the mother of industrial society, as well as all across central Europe. In the rural districts of Bohemia, there were more than two hundred thousand domestic workers spinning flax; in the Swiss canton of Glarus there were more than

thirty-four thousand domestic spinners across the countryside. Most of these rural industrial workers were women.³⁹

Moreover, like the industrial sector of Europe, rural life, too, felt the bracing breath of innovation. Viscount Townshend acquired the nickname Turnip Townshend for his experiments with introducing turnips, which served as fodder for livestock, fed nitrogen to the soil, and facilitated crop rotation; his dual career—politics and scientific farming—is in many ways characteristic of the style congenial to the English peerage. But not all experimental “improving” farmers were noblemen.

Staff Reporter
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Mr Shinnars said they should work in small groups for protection, so if one group gets arrested they could not reveal anything about any other group, the witness said.

The hearing continues today.

enough to approach the peers, incomes ranging from £1000 to £3000 a year, up to twenty thousand ordinary, middling landed gentlemen whose income was anywhere between £300 and £1000 a year. The least affluent of these gentlemen were little more prosperous than that far larger category, the freeholders, whose farms might bring them as little as £30, or as much as £700 a year. This scale, ranging from £30 to £50,000, offers a prospect of vast economic and social distance, from cottage to palace. Yet even this hierarchy, steep as it appears, does not comprehend the whole spectrum of English rural life: below the petty freeholder with his £50 or £75 a year were the mass of tenant farmers, some of

³⁹ See Anderson, *Europe in the Eighteenth Century*, 65.

PAC policy is Marxist — witness

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(331)

KDM 20/7/78
Witness tells of PAC

Staff Reporter

BETHAL. — A State witness yesterday told the Bethal Circuit Court he was prepared to revive the Pan Africanist Congress even though he had served 11 years on Robben Island and though he knew it was against the law.

Mr X, who may not be identified, was giving evidence at the trial of 18

alleged members and supporters of the PAC.

All the accused have pleaded not guilty before Mr Justice D. J. Curlewis to charges of participating in terrorist activities, alternatively furthering the aims of the banned PAC.

Asked why he had done nothing about reviving the PAC, the witness said he was waiting for literature on the new Marxist policy.

(331)
'revival'

He admitted the old teachings of the PAC were completely opposed to Communism.

Mr X said he made a statement to the Security Police after he was arrested in February 1977, because he was "not interested in concealing anything."

The hearing continues today.

I abandoned idle PAC camp — Mr Y

Staff Reporter

BETHAL. — A State witness yesterday told the Bethal Circuit Court he and seven students who fled the country for military training under the Pan-Africanist Congress returned home after three months because nothing was happening.

Mr Y, who may not be identified, was giving evidence before Mr Justice Curlewis in the trial of 18 alleged members of the PAC who have all pleaded not guilty to charges under the Terrorism Act.

Mr Y who was a student in Cape Town in 1976, said he "went to the riots instead of classes". He described in detail how the PAC had helped him leave the country. He also told

of his three-month stay at a Swaziland refugee camp under uniformed police guard before he returned to South Africa.

He gave evidence for three hours on three of the accused — Mr G M M who allegedly left the country with him, Mr John Ganya, who allegedly helped them out of the country and Mr Alfred Ntshali-Ntshali, a Swazi taxi driver.

Mr Y said during the riots he and Mr Moni had attended a meeting at a church in Guguletu Township, Cape Town, where a woman, who introduced herself as Nomani, came to recruit people for military training in Russia.

They left for Johannesburg on November 17, 1976, to look for help to leave

the country. They were staying in Soweto and asked several people to help them, Mr Y said.

Mr Ganya helped him and seven others leave for Swaziland in two taxis. Mr Y said the taxi stopped near the Ososek border and Mr Ntshali-Ntshali told them to walk along a stream and cross over a fence.

Mr Y said the Swaziland police took them to Luyengo Prison Camp, they established contact with PAC leaders who told them:

③ The PAC was the only organisation still fighting the South African Government to liberate the country.

③ The leader of the African National Congress,

Nelson Mandela, was disappointed by his own people, hence he was serving a long sentence on Robben Island.

③ They would go to Tanzania for military training.

One of the leaders told them not to care about students still at school. "Because of their betrayal their certificates will be written by blood" when the country was liberated, Mr Y said.

Mr Y said after three months, two of the people, including Mr Moni, had left the camp. He also decided to return to South Africa "because nothing had happened".

He was detained on August 8 after his return.

The hearing continues today.

1. Opening
2. Notule Vergadering 2 April 1978:
 - 2.1 Sake out notule;
 - 2.2 Egpaar Tito opgeroep;
 - 2.3 Br. J. Boezak.
3. Program: Junie - Desember 1978:
 - 3.1 Kerkraadsvergadering elke tweede maand, derde Saterdag in die maand 2.00 nm;
 - 3.2 Kerkraadsbiduur en Broederlike onderhoud in die maand tussen in, op die derde Sondag in die maand 5.00 nm;
 - 3.3 Nagmaatliverings elke 2 maande om die beurt 10.30 nm en 6.00 nm;
 - 3.4 Doop: Eerste Sondag in die maand 10.30 nm;
 - 3.5 Doop- en Tugkommisste vierde Woensdag in die maand. Voornemende doopouers stel hul wyksouderling in kennis en ontmoet die kommisste saam met die ouderling om mid-dellik na biduur;

GEWONE VERGADERING

¹⁰ Burckhardt, *Die Kultur der Renaissance in Italien: Ein Versuch* (ed. 1958), 21–22, translated by Peter Gay.

Politics and History in Sixteenth
13 Renaissance Venice 02

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ledge

in Swaziland. They established contact with PAC leaders who told them:

"The PAC is the only organisation still fighting the South African Government — and it is the only organisation that will liberate the country.

"That the leader of the ANC, Mr Nelson Mandela, was disappointed by his own people and consequently was serving a long sentence on Robben Island.

"That they would go to Tanzania for military training and come back to liberate South Africa with weapons."

The hearing continues today. — DDC.

fourteenth century, Petrarch said, "Much freedom reigns there in every respect, and what I should call the only evil prevailing—but also the worst—far too much freedom of speech."¹³ But this freedom was possible because the Venetian government secured domestic

¹¹ Vespasiano, *Renaissance Princes, Popes and Prelates* (Torchbook ed., 1963), 107-108.
¹² William J. Bouwsma, *Venice and the Defense of Republican Liberty: Renaissance Values in the Age of the Counter Reformation* (1968), 60; Felix Gilbert, *Machiavelli and Guicciardini: Politics and History in Sixteenth Century Florence* (1965), 20.

Renaissance Princes and Prelates (Torchbook ed., 1963), 107-108.

142 William I. Bouwsma *Venice and the Defense of Republican Liberty: Renaissance Values*

in the Age of the Counter Reformation (1988), 60; Felix Gilbert, *Machiavelli and Guicciardini*:

¹³ Bouwsma, *Venice*, 93.

A passport to better things?

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THE GOVERNMENT must be commended for having granted a passport to Mrs Fatima Meer, the banned sociologist and author. Our hope is that her case will set a precedent.

Mrs Meer is one of the staunchest, most consistent opponents of apartheid. She applied for the passport to attend the Ninth World Congress on Sociology in Sweden later this month. The author of several works on Black South Africans, Mrs Meer will present a paper on the Indian minority group in this country. It certainly won't be complimentary to the Government but the fact that she has been allowed to leave South Africa at all — more particularly, the magisterial district of Durban — could well militate against what she has to say.

Possibly that prospect occurred to someone in authority when Mrs Meer's application came to be processed, but that's a cynical view.

We prefer to regard the Government's action positively. Mrs Meer is an internationally known, honourable South African who has already suffered considerably from State harassment. On a previous occasion, she was refused a passport. That was two years ago when she

was prevented from accepting a much-esteemed Ginsberg Fellowship at the London School of Economics.

We would like to think the Government now realises it has wronged Mrs Meer, and others in her situation. For no other democratic country refuses passports to its citizens, unless they happen to be criminals. And Mrs Meer, despite her banning, is hardly that. If she was, presumably she would have been charged and convicted in a court of law.

In the wake of Mrs Meer's application, two other well-known and banned South Africans are waiting to hear if they will be allowed to go abroad to accept international honours. One is Dr Beyers Naude, who has been awarded a prize "for reconciliation and development" by the Swedish Free Church.

The other is Mrs Winnie Mandela, who has been invited to address the British United Nations Association on the 30th anniversary of the Universal Declaration of Human Rights.

We trust their applications will now be treated in the same light as Mrs Meer's.

plaasmasjinerie

Koste aan boer:

(i) Ontspanningsgeriewe verskaf:

Koste aan boer (jaarliks):

(j) Gesondheidsdienste:

Jaarlikse koste aan boer van: doktersrekeninge betaal
medisyne

vervoer na en van geriewe
ander

(j) Totale mediese koste

(k) Pensioenbydrae deur boer (jaarliks)

(l) Versekeringsbydrae deur boer (jaarliks)

(331) FM 1/8/78
Soweto students charged

Alleged members of the Soweto Students Representative Council appeared in court for the first time charged with offences connected with 1976's June 16 unrest. The trial is expected to be the most important case stemming from June 16 yet to appear before the courts.

7J - PHILIPP:

<u>Age group</u>					<u>Average income per month (R)</u>	
	<u>Earners</u>	<u>Pensioners</u>	<u>Known earners</u>	<u>Known pensioners</u>	<u>Known earners</u>	<u>Known pensioners</u>
Unknown	4.	0.	3.	0.	55.00	-
15-19	91.	0.	85.	0.	58.15	-
20-24	109.	3.	100.	3.	75.50	29.33
25-29	99.	2.	95.	2.	81.95	29.00
30-34	65.	2.	65.	2.	85.95	37.50
35-39	60.	1.	60.	1.	89.53	46.00
40-44	50.	0.	49.	0.	73.12	-
45-49	32.	4.	32.	4.	81.25	38.75
50-54	19.	2.	19.	2.	83.47	45.00
55-59	14.	5.	14.	5.	80.57	29.00
60+	7.	24.	7.	24.	70.00	30.00
Totals	550.	43.	529.	43.	77.11	32.02

Peace failed court told

BETHAL — Peaceful change in South Africa had failed long ago and members of the PAC were to recruit young people for military training, the circuit court heard here yesterday.

Mr X, who may not be identified, was giving evidence before Mr Justice Curlewis in the trial of 18 alleged members of the PAC who have pleaded not guilty to charges under the Terrorism Act.

The witness gave evidence against Mr Mark Shinnars, one of the ac-

cused, and told of the change in PAC strategy and policy.

"Unlike the strategy of the 1960s, when large meetings were held, in 1976 they proposed to form cells of three to five persons with each cell having its own leader."

"The policy of the PAC had shifted from African nationalism to African socialism."

Mr X told the court that in February 1976 Mr Shinnars visited his home in Pretoria and told him

the PAC were active there.

Mr Shinnars explained to him the PAC's three-phase programme which involved reviving old members who would form cells.

After the cell members had been educated they would be recruited for military training.

When the witness raised the question of peaceful change, Mr Shinnars said it would not work — it had failed long ago.

The hearing continues today. — DDC.

RDM 4/3/78

Mr X tells of policy change

351

Staff Reporter

BETHAL. — Peaceful change in South Africa had failed long ago and members of the Pan-Africanist Congress were to recruit young people for military training, it was claimed in the Bethal Circuit Court yesterday.

Mr X, who may not be identified, was giving evidence before Mr Justice Curlewis in the trial of 18 alleged members of the PAC who have all pleaded not guilty to charges under the Terrorism Act.

The witness gave evidence against Mr Mark Shinnars, an accused in the trial, and told of change in PAC strategy and policy.

These were he said:

- Unlike the strategy of the 1960s when large meetings were held they proposed in 1976 to form

cells of three to five people with each cell having its own leader.

- The policy of the PAC had shifted from African nationalism to African socialism.

The witness told the court that in February 1976, Mr Shinnars visited his home in Pretoria and told him the PAC were active there.

Mr Shinnars explained the PAC programme which involved reviving old members of the organisation to form cells, the witness said.

After the cell members had been educated they would be recruited for military training.

When the witness said he raised the question of peaceful change, Mr Shinnars allegedly told him: "It wouldn't work — it had failed long ago."

The hearing continues today.

PAC trial told 8/8/78 policemen joined 33

JOHANNESBURG — During the Frelimo take-over in Mozambique in 1974, 15 black municipal policemen known as "black jacks" left South Africa for training, the Bethal circuit court heard yesterday.

Mr A, who may not be identified, was giving evidence before Mr Justice Curlewis in the trial of 18 alleged members of the PAC who have all pleaded not guilty to the charges under the Terrorism Act.

The witness gave evidence against Mr John Ganya, an accused, whom he said he met on Robben Island while serving a six year sentence for PAC activities.

Mr A said Mr Ganya visited him in February 1972 and when he told him he had retired from the PAC Mr Ganya said: "When PAC men get married they usually forget about the struggle."

Mr A said the next time he saw Mr Ganya was during the Frelimo excitement and Mr Ganya told him it was time to work.

When Mr A reminded him he had retired, Mr Ganya said he was going ahead and had already helped 15 "black jacks" go for training that week.

The hearing continues today. — DDC.

PAC trial told of China warning

BETHAL — Robben Island prisoners received lectures on African nationalism and the five social butterflies, it was claimed in the Circuit Court here yesterday.

The State witness told the judge the lecture on the five social butterflies was advice on what quality to look for when choosing a wife.

Mr M, who may not be identified, was testifying

against four of the accused in the trial of 18 alleged members of the banned Pan Africanist Congress who have all pleaded not guilty to charges under the Terrorism Act.

The witness told of another lecture on Robben Island given by Mr Zeph Mothopeng, an accused in the trial, who told them to guard against communism. He said if they allowed it, Red China

would take over the whole of Africa and they would not get a better deal.

Mr Mothopeng said they must be prepared to fight for the PAC on their release as it was the body which would incorporate all the black races into African nationalism.

Other aspects of Mr M's evidence related to three of the accused Mr Mark Shinnars, Mr Hamilton Keke and Mr John Ganya.

Mr M told of a discussion with Mr Shinnars during 1976. He told Mr Shinnars the Black People's Convention had taken over where the PAC left off.

Replying, Mr Shinnars said they should come together and revive the PAC. Mr M said it was a good idea.

The hearing continues today. — DDC.

151 await security trials

AKA 10/8/78
(331)

The Argus Correspondent

JOHANNESBURG.—

There are now 55 security trials involving 151 people pending in South Africa.

A total of 144 people are being held under Section 6 of the Terrorism Act, 77 witnesses are in detention under Section 12B of the Internal Security Act, and 14 people are in preventive detention under Section 10 of the same Act.

These figures emerged from an interview Mrs. Helen Suzman had this week with the Minister of Justice, Mr. J. J. Kruger.

Mrs. Suzman said today Mr. Kruger had emphasised the steps that had been taken to protect detainees.

Marching in street- 27 in ^{ARGUS} court ^{11/8/78} 331

TWENTY SEVEN people from Guguletu, many of them youths, appeared briefly in a packed courtroom at Athlone Magistrate's Court today in connection with allegations of attending prohibited gatherings.

Sixteen appeared in one hearing and 11 in another. No evidence was led and they were not asked to plead.

Their appearance is a sequel to incidents on Wednesday night in which people marched singing through the streets of Guguletu.

At one hearing Miss Gladys N. Mpotulo, 24, Mr Jerome D. Possa, 22, Mr Daniel V. Mpongoshé, 20, Miss Edith Daka, 18, Miss Ethel Cishe, 19, Mr Watutu Gaika, 18, Mr David Kakaza, 18, Mr Patrick Madasi, 18, Mr Jongela Mayiya, 18, and seven youths appeared.

Their trial was postponed to September 6.

CLENCHED FIST

As they left the court they gave salutes and shouts of Amandla (power), which were echoed by relatives and friends, in the public gallery.

In the other hearing Mr Lungisa Nojozi, 18, Mr Julius Qumbelo, 19, and nine youths appeared. Their trial was postponed to September 14.

Bail of R30 was fixed for the adults.

Middleton not guilty

ARGUS 11/8/78 331
The Argus Correspondent

KIMBERLEY. — After a trial fought vigorously by both the defence and the State, Mr Norman Middleton was acquitted in the Regional Court here yesterday of a charge of inciting racial hatred.

Mr Middleton, 56, of Boom Street, Maritzburg, pleaded not guilty to the charge on October 21 1976.

The charge arose from allegedly inflammatory remarks made at a political meeting of the Labour Party in De Aar on April 20 1976.

Mr Middleton, national vice-chairman of the Labour Party, was accused of saying, according to the charge sheet:

That he is in a position to identify the traitors (thereby referring to non-whites co-operating with the white group) and when the Black Power takes over (thereby meaning majority rule by non-whites) they will be wiped out with the whites;

It is a good thing that shanty towns are erected, because when the blacks take over, the whites can be driven into them;

That time is running out for the whites of South Africa;

That should he rise tomorrow and discover that his skin is white he will hang himself;

In acquitting Mr Middleton, the magistrate, Mr T O'Connell, said the case had dragged on for a longer period than was desirable.

He said that none of the State witnesses who attended that meeting could be termed disinterested. They were all political parties opposed to the Labour Party.

Terror on trial

Is political resistance in SA entering the stage of guns and grenades?

331

FM 11 August 1978

Just before the weekend, police had a skirmish with armed guerrillas near the Botswana border. A week before that, they pounced on a Soweto house, seizing rifles, hand grenades, bombs and ammunition.

A few days before that, eight people were remanded for trial under the Terrorism Act in Durban, while the PAC trial in Bethal, where a further 18 people are facing similar charges, entered yet another day.

Isolated incidents? Or is SA about to tread the same path as Rhodesia, Mozambique and Angola, where conflict between rulers and ruled ultimately led to sustained violent confrontation?

Undoubtedly, a good deal of the evidence points to mounting guerrilla activity and terrorism — not only in rural areas, but also in the cities. A few months ago, Brigadier C F Zietsman, head of the security police, was reported as saying that in the two years since June 1976 more than 2 500 people had been charged with undergoing military training, recruiting others for training, transporting arms and explosives, and similar offences.

Although Commissioner of Police Mike Geldenhuys denies there has been any large-scale increase in political trials in recent years, as many as 66 terrorist cases are currently before the courts, Minister of Justice James Kruger told Parliament recently.

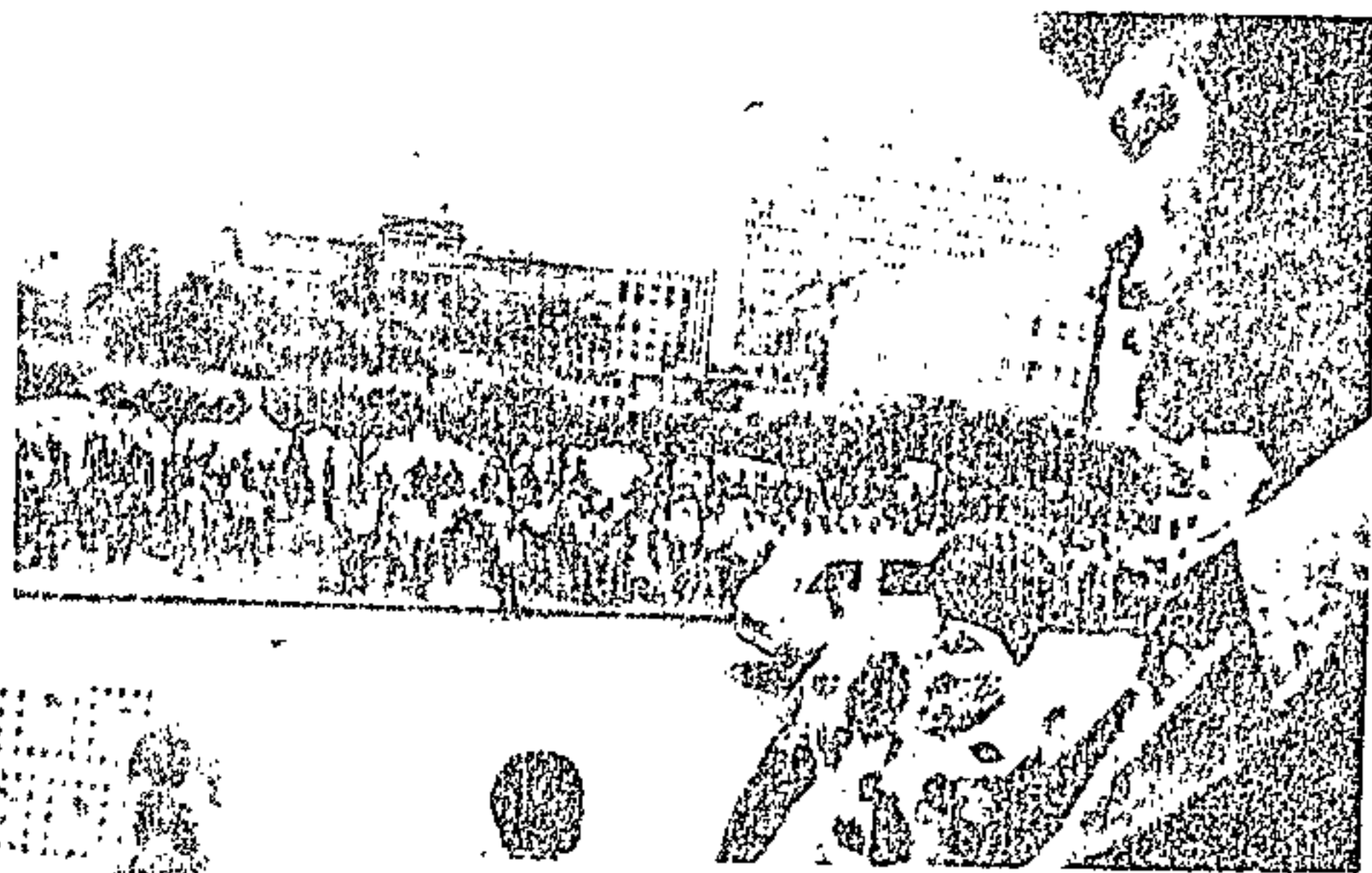
Last year, 108 people were charged under the Terrorism Act, of whom 44 (all of them African) were convicted, while 44 are still on trial or awaiting trial.

Although some charges pre-date the Soweto disturbances, June 1976 marks a definite turning point. Whereas the Com-

missioner of Police could report "no large scale political unrest" for the year ending June 1976, his latest report is less sanguine. "The wave of widespread rioting and unrest to a certain extent gave rise to new hopes among members of the banned PAC and ANC," runs the report.

Some of the schoolboys who fled

Spectators outside the Saso trial in Pretoria (right). Is it enough to hammer dissidents without conceding change? Or will they eventually take up arms?



that 4 000 SA blacks are currently undergoing training outside the country. Some of them are Soweto schoolchildren.

Charge sheets usually feature allegations of undergoing military training or inciting others to do so. Some charge sheets refer to training in Russia. Mosima Sexwale, 25 years old, was found guilty of undergoing training in the USSR during 1976; Joseph Nduli was accused of going to Russia as early as 1963.

Possession of arms made in communist countries is another frequent charge. "A total of 91 trained terrorists have been arrested," Kruger told parliament earlier this year. "They were trained terrorists, and not children with toys."

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kg of TNT and other explosives; 7 AK automatic rifles; 15 Scorpions; one Czech and one Petersen hand carbine; five Tokarev pistols; one Czech pistol; one revolver; one Walther pistol; 73 hand grenades; and two personnel mines. Kruger told Parliament there had been 31 incidents of sabotage, resulting in six deaths and 41 injuries.

Geldenhuys tells the FM that the police "have the situation well under control. We are on the ball."

How long will control be maintained? Opinions expressed at trials under the Terrorism Act indicate that suppressed rumblings are becoming louder and more dangerous.

Last resort tactics

At the same time, it is clear that many of those on trial under the Terrorism Act have only turned to violence as a last resort, arguing that other methods of fighting apartheid (even passive resistance) have proved futile. Sexwale, for instance, described to Mr Justice Myburgh how repeated attempts by the ANC to negotiate change with the government had been ignored or crushed.

Stanley Nkosi, jailed for 10 years under the Terrorism Act, said this at his trial: "Today I stand on the threshold of prison. What has led to such an odious prospect is simply because I wanted to live the life of a full man, a man with rights and duties to myself and to humanity at large."

The spate of bannings last October gagged almost all remaining mouthpieces

years Terrorism Act offences: "The decision to resort to arms was a painful one. I am essentially a non-violent person. My dearest wish is to co exist peacefully with all other citizens of SA."

The adoption of violent strategies by the once moderate ANC was entirely predictable. It was only after the ANC and the PAC were banned in 1960 that they went underground. Only then did the ANC, through its military wing Umkhonto we Sizwe, adopt a policy of sabotage.

A decade and a half later, the prognosis is very similar. "When Saso and BPC were weakened by arrests, raids and detentions," said Mothlanthe, "it became clear that there was no room for blacks to participate meaningfully and peacefully in the shaping of their lives. All these organisations were dealt with violently, despite their non violent nature."

How well organised the ANC and PAC are is difficult to tell. There is talk of a merger between the two. At the same time, both organisations have been attacked by some Soweto students.

The accused in terror trials are often regarded as a fringe group of extremists, fired by external agitators. Yet those involved are not localised to any one group. A wide spectrum of people are involved in trials, including university lecturers, clerks, drivers and manual labourers. Among lists of accused are men of over 60, boys of 16, pregnant women. There are six children under 16 on Robben Island, one of whom is 14.

10 Robben Island prisoners re-convicted in the past 10 years. Four of them were sentenced to life imprisonment in the mammoth Maritzburg trial last year. One was re-convicted in the Pretoria ANC trial this year.

Neither does the prospect of stiff sentences shake the commitment of some of the accused. "As I look back," said Sexwale, "I cannot honestly say that I believe that the decisions I took were wrong: what I regret most was that those decisions had to be taken."

Some of the judges in political trials have acknowledged the motives of the accused. "One must remember that the people who commit political offences are frequently people of high political morals and ideals," said Justice Myburgh passing sentence earlier this year at the marathon Pretoria ANC trial — where, among others, Sexwale was convicted of throwing a hand-grenade at a police vehicle.

Thankfully, SA is still a long way from the Rhodesian situation. Yet as its neighbours become independent, all the energy channelled towards that struggle is likely to be redirected here. The SA Defence Force could face the task of defending the country's 2 000 km of borders against SA insurgents enjoying impressive foreign backing.

Whether the insurgents would enjoy widespread local support, too, will depend on the scale and sincerity of white SA's efforts to negotiate a political system that black South Africans can back and defend.

55 security trials to
be heard—Kruger

He had not disclosed the number of parolees, but said there would be no review for hardline dealers. — DDC.

Mr Kruger also told Mrs Suzman of the appointment of a former security police officer to ensure that regulations governing conditions of detention were being carried out by security police.

Mrs Suzman, who interviewed the Minister

Mrs Suzman said the

thus made the name "Laura" immortal. He recorded his most domestic activities, including the planting of trees, landscaping of gardens, and visits of

In addition to compulsory class work, students are strongly advised to do additional work. Such work will reflect enthusiasm for the course and will improve a student's grasp of course material. Additional tutoring is available to those who need it.

[illegible]

²⁵ Baron, *Crisis of the Early Italian Renaissance*, 417

²⁷ Burckhardt, *Die Kultur der Renaissance in Italien*, 252, translated by Peter Gay
28 Baron, *Crisis of the Early Italian Renaissance* (2nd ed., 1966), 267.

The Humanists

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'EK MOES REGERING VERNIETIG'

RUSSE HET HOM OPGELEI—BESK.

Dik Burger 11/8/78

331

Van Ons Korrespondent

BLOEMFONTEIN.

NADAT hy in Rusland, Tanzanië en Angola militêre opleiding ontvang het, het hy deur Mosambiek na Suid-Afrika teruggekeer en sy wapens onder 'n brug op Harrismith gekry, het 'n twintigjarige swartman gister hier in die Vrystaatse Hooggeregshof getuig.

Themba Lordwich Sishanga het skuld beken op twee aanklagte ingevolge die Wet op Terrorisme en is deur regter H. F. de Wet skuldig bevind. Hy word Maandag gevonnissen. Daarna het Sishanga ter versagting getuig dat hy ná die onluste in Junie 1976 in Soweto deur die African National Congress gewerf is onder die voorwendsel dat hy sy skoolopleiding in die buiteland sou ondergaan.

Hy sou ook militêre opleiding ontvang.

Hy en twee ander swartes is saam met lede van die A.N.C. na Swaziland. Ná 'n dag in Swaziland het hulle in die nag na Mosambiek gegaan, waar hulle drie weke lank gebly het. Daarvandaan is hy en ses ander na Tanzanië gebring.

so Mr. Petersen alleged, 'there were not more read a newspaper and explain its contents.' (23)

on schools, as Isaac Dreyer pointed out at rules were so strict that the boys were 'like the young men arrived in town, 'they found they in their lives and frequently let it degenerate red parents were also to blame. They were in too much/...

gebly en het van daar na Luanda in Angola gegaan. In Luanda het hulle verdere opleiding ontvang en hulle is ook aangesê om terug te kom en teen die Regering van Suid-Afrika te kom veg.

„Ek wou nie na Suid-Afrika terugkeer nie, maar is aangesê dat daar 'n persoon hier is wat gaan optree. Ek moes na hom terugkeer," het Sishanga getuig.

Van Angola is hulle na Mosambiek. Hulle is weer na Swaziland van waar hulle na Suid-Afrika gekom het. Hy het by 'n oom op Harrismith gaan woon.

Op Harrismith het hy 'n telegram gekry dat hy sy wapens moet gaan haal. Hy het die wapens onder 'n brug op Harrismith gekry. Die wapens was 'n Tokaref-pistool, 'n Petersen-handkarabyn, twee handgranaats en sewe 7,62 mm. patrone en plofstof.

Hy moes die wapens gebruik om homself teen die polisie te verdedig en om die Regering te vernietig.

ONGELUK

Omdat hy nie langer by sy oom kon bly nie, het hy na sy oupa gegaan. Hy en 'n vriend, by wie hy sy wapens versteek het, het toe 'n motor gesteel om na Johannesburg te gaan.

Op pad na Johannesburg het hulle brandewyn gedrink en hulle was toe in 'n ongeluk. Hy is in die ongeluk ernstig beseer en die polisie het op hulle afgekom.

Adv. F. A. Bonthuys verskyn vir die staat en adv. Pieter Geldenhuys pro Deo vir Sishanga.

Die verhoor duur voort.

ordinary clothes, except the necktie which is generally alarming, being mostly red, white and blue. There are a few poor fellows who lack even more than collars and ties - one or two who are barely covered. But they are all happy-looking. There is no cold shoulder for the ragged kaffir, but a nod, a handshake or perhaps a joke. All crowd together and pass newspapers and tobacco bags to each other.... The intellectual standard of the meeting is equal to that of any British labour meeting. You are amazed to see a native with a copy of 'Nineteenth Century' in his hand, criticising an article by a London bigwig on the South African labour question. [A reference to an article by Sir R.H. Johnston, 'The Native Labour Question in South Africa', published in The Nineteenth Century and After, Vol. 52, November 1902, an article advocating the use of migrant labour from Central Africa to meet the needs of the rapidly expanding South African

too much of a hurry to take their children out of school, a visitor from Calcutta pointed out, so long as their boys could 'pretend to read and write' What did this lead to? - 'the empty-head coloured youth who occupied the whole of the pavement in crowded Plain Street on Saturday night and declined to budge even for women and children while he discussed football and so on.' (25)

These were some of the conditions that led to the emergence of what Tobin described as 'enormous numbers of coloured street arabs.' 'Not only did these lads run wild about the streets all day, assaulting and robbing inoffensive ladies and other hawkers, but they might be seen any night in gangs of 20 or 30 (a voice, 'Sometimes there's a hundred of them together') up till 12 o'clock or even later' 'Things were coming to a really terrible

POLITIEK

Hulle het in Temeke in Tanzanië gebly, waar hulle onderrig is in politiek en ook liggaamsoefeninge gedoen het. 'n Swartman, ene Masigo, het hulle die geskiedenis van Suid-Afrika vertel asook dié van die A.N.C. Ene McShobe het hulle die geskiedenis van die Kommunistiese party in Suid-Afrika geleer en van die vakbondbewegings in die land. Hulle het geen skoolopleiding soos in Suid-Afrika ontvang nie.

Van Tanzanië is hulle per vliegtuig na Rusland gebring. Hulle het 'n ruk in Moskou gewoon, van waar hulle na 'n militêre kamp in Siniropol in die Oekraïne gegaan het. Hier het hulle militêre opleiding in die artillerie gekry. Hulle het geofen met 82 mm-kanonne, ligte Kalashnikov-masjiengewere asook die R.N.G.-masjiengeweer. Hulle het ses maande in die kamp

lish Government 'to stop against coloured people he name of law and political issues made the Stone. The A.P.O. was point, as Tobin hastened membership. (28) But the A.P.O. had done much coloured people.

'Socialism', wrote Wilfred Harrison, one of the veterans of the movement, 'had its beginnings as a propaganda force from the plinth of the Van Riebeck Statue,' which then stood where Dock Road crossed the bottom of Adderley Street. (29) The statue was frequented by 'labour orators' on Sunday mornings, and provided an ideal meeting ground for men of similar views to get/...

Prohibited gathering charges: 27 in court

CAPE TIMES 12/8/78
331
TWENTY-SEVEN people appeared at two separate hearings before Mr M S Knox in the Athlone Magistrate's Court yesterday in connection with allegations of attending prohibited gatherings.

In the first case two young men, Mr Lungisa Nojozi, 18, and Mr Julius Qumbelo, 19, no address given, appeared with nine youths who may not be named because they are under age, in connection with allegations of attending prohibited gatherings.

The hearing was adjourned to September 14. Bail of R30 each was granted to Mr Nojozi and Mr Qumbelo. Eight of the accused were released into the care of their parents and one was remanded.

16 appear in second hearing

In the second hearing, 16 people appeared before Mr Knox on similar charges. They are: Miss Gladys N Mpotulo, 24, Mr Jerome D Possa, 22, Mr Daniel V Mpongoshé, 20, Miss Edith Daka, 18, Miss Ethel Cishe, 19, Miss Watutu Gaika, 18, Mr David Kakaza, 18, Mr Jongela Mayiya, 18, Mr Patrick Madasi, 18, and seven minors.

The hearing was adjourned to September 6. Bail of R30 each was granted to Miss Mpotulo, Mr Possa, Mr Mpongoshé, Miss Daka, Miss Cishe, Miss Gaika, Mr Kakaza, Mr Madasi and Mr Mayiya.

Seven of the youths were released in the care of their parents. Mr M S Knox was on the Bench. Mr P A L Gamble appeared for the State. Mr E Moosa appeared for Mr Possa, Miss Cishe, Mr Mpongoshé, Mr Kakaza and two minors. The others were not represented.

Soldiers' uniforms lured me — Mr K

Staff Reporter
BETHAL. — A man who was inspired by the beauty of soldiers dressed in camouflage uniforms told the Bethal Circuit Court yesterday he went to Botswana to become a soldier. But while he was staying in Botswana he said he became worried when some-

one told him he would be sold in Tanzania.

Mr K, who may not be identified, was giving evidence in the trial of 18 alleged Pan-Africanist Congress members who have all pleaded not guilty to charges under the Terrorism Act.

The witness told the

court that during February 1976, he was having lunch with co-workers when two soldiers walked past. He told his colleagues the soldiers looked very beautiful in their camouflage uniforms.

He said he wished he could be a soldier.

Mr K said one of his co-

workers said if he really wanted to become a soldier he could help him get the job but he would have to leave the country.

He was driven to Botswana. He crossed the fence and was then taken to a house where many youngsters were staying, he said.

Mr K told the court that after several days of exercising and drinking beers he decided he did not come to Botswana to be idle and decided to return to South Africa.

He walked across a mountain to the border and when he crossed the fence he saw a man in civilian clothes on a bicycle. The man asked him where he was going and asked if he knew he was a security man.

Mr K said the man took him to the border after he asked for help to come back to South Africa.

While he stood outside the police office he made up a story.

He told the police he had been kidnapped by some unknown people but managed to escape from them in Botswana.

He said he was then taken to a police station in Pretoria where he repeated the story and was released. But on March 5 last year he was arrested again.

Earlier yesterday another State witness said under cross-examination that Security Police had threatened to assault him if he did not identify the names of people in photographs. They did not carry out their threat, he said.

The hearing continues today.

ANC splinter group
holds talks with PAC

By STANLEY UYS

LONDON. — A breakaway group of the banned African National Congress of South Africa has announced that it is engaged in unity talks with the Pan Africanist Congress.

The announcement came at the end of a two-day conference at which the group, which calls itself the "ANC of South Africa (African Nationalists)" elected a new four-man executive.

At the conference, the group, which split from the ANC in 1976, also "reaffirmed its allegiance" to the imprisoned ANC leader, Nelson Mandela, praised the black consciousness movements and criticised "ambitious Bantustan chiefs."

A spokesman said the

main difference between the new organisation and the ANC was the ANC's decision to allow non-blacks to join it, particularly white South Africans, some of whom had been members of the SA Communist Party.

The ANC (African Nationalists) claims it is not anti-white or racist, and that it shares common aims with anti-apartheid whites.

The spokesman said it was difficult to gauge the strength of the new body in South Africa, because meetings could not be held, but the black youth were taking the same stand as the new body, and their rise in South Africa reflected the strength of the ANC (African Nationalists) view-point.

Terror accused acquitted

Pretoria Bureau

A MAN charged under the Terrorism Act in the Pretoria Supreme Court, was yesterday found not guilty and discharged.

Mr Tloalle William Matlala, 36, of Atteridgeville, Pretoria, was found not guilty and discharged by Mr Justice Eloff after the State informed the court the Attorney-General had accepted his plea of not guilty made before a lower court.

But the case against the other accused, Mr David Mthlabeledi Tharasimbi, 28,

of Hlala Street, Atteridgeville, continued.

Mr Tharasimbi had pleaded not guilty in the lower court to four charges under the Terrorism Act.

The State alleges that from about October last year to March 3 this year, he organised and led three groups which illegally crossed into Swaziland to get military training which could be of use to overthrow the Government.

It is also alleged he spoke at five meetings in Atteridgeville during which he encouraged mem-

bers of the audience to go for military training.

The defence admitted Mr Tharasimbi was an active member of the banned Pan-Africanist Congress, that he organised and led the three groups into Swaziland, and that he addressed the meetings.

According to the admissions two of the trips were via Piet Retief, and then by foot across the border.

The third trip was via Amsterdam and then by foot across the border.

Captain A P van der Merwe, of the Pretoria Security Police, said he was in charge of border patrol duties on March 3 this year when Mr Tharasimbi was brought to him at Amsterdam.

After questioning by Capt Van der Merwe, Mr Tharasimbi made a statement to a magistrate in which he said he had voluntarily joined the PAC, and led three groups across the border.

The hearing continues.

Continued in this issue

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star 10/8/78

PAC funded by Russia, terror trial told

BETHAL — The Pan Africanist Congress received money from Russia and other communist countries, it was claimed in the Bethal Circuit Court today.

A state witness said Mr John Ganya, an accused in the PAC Terrorism Act trial, asked him to recruit people who would go abroad to be trained as soldiers.

Mr M, who may not be identified, was giving evidence before Mr Justice D J Curlewis. All 18 accused have pleaded not guilty to charges of participating in Terrorist activities, alternatively furthering the aims of the banned PAC.

The witness told the court that in June 1976 Mr Ganya visited his home in Zonde, Soweto, saying he had arranged to meet someone there. During the conversation Mr Ganya said he knew all the people

in Soweto because he went from house to house.

Mr Ganya told Mr M he must wake up and recruit people to go abroad for training.

Among questions Mr M

asked him was who paid him and where did the organisation get money from. Mr Ganya replied that he was paid by the PAC which got money from outside the country

— Russia and communist countries.

Mr Ganya asked him to give up his job and join him with PAC work.

The hearing continues tomorrow.—Sapa.

Court hears of man's escape query

Staff Reporter
BETHAL. — A State witness told the Bethal Circuit Court yesterday that one of the accused in the trial of 18 alleged members of the banned Pan-Africanist Congress asked her the route to escape to Botswana.

Miss S, who may not be

identified, was giving evidence before Mr Justice J Curlewis. All the accused have pleaded not guilty to charges under the Terrorism Act.

The witness told the court that in January 1977 she received a message from a clinic in Mafeking to see two relatives of her husband.

Miss S said she went to see the two men whom she did not know. One of the men told her he knew her husband from Robben Island and asked her if she knew the route to Botswana. She told him all the ways were heavily patrolled but told them to try going through Zeerust.

The hearing continues today.

Rather die than be arrested — witness

16/8/28
R.D.M.

Pretoria Bureau

THE accused in a terror trial told people he escorted across the border into Swaziland they should kill themselves if they were arrested, a witness told the Pretoria Supreme Court yesterday.

Mr David Mothlabedi Tharasimi, 28, of Atteridgeville, is appearing on four charges under the Terrorism Act. He has pleaded not guilty.

The State alleges he

took three groups of people to Swaziland for the purpose of receiving military training and addressed five meetings in Atteridgeville, Pretoria, at which he incited people to go to Swaziland for military training.

A witness, who may not be identified, said Mr Tharasimi had taken him and a number of others by train, car and finally on foot across the border.

Later, said the witness, he had told them if they were arrested they must kill themselves and not give evidence or say anything to the police.

The witness denied defence allegations that he had gone to Swaziland to seek finance for an organisation of which he was a member.

The trial continues today.

Red PAC cash claim

BETHAL — The Pan Africanist Congress received money from Russia and other communist countries, it was claimed in the Circuit Court here yesterday.

A state witness said Mr John Ganya, an accused in the PAC Terrorism Act trial, asked him to recruit people who would go abroad to be trained as soldiers.

Mr M, who may not be identified, was giving evidence before Mr Justice Curlewis. All 18 accused have pleaded not guilty to charges of participating in terrorist activities, alternatively, furthering the aims of the banned PAC.

The witness told the court that in June 1976 Mr Ganya visited his home in Soweto, saying he had arranged to meet someone there.

When Mr M asked him what his occupation was, Mr Ganya laughed and said: "I work for the nation. I am a member of the PAC."

Mr M told him he was also one of them. They shook hands.

Among the questions Mr M asked him was who paid him and how the organisation got money. Mr Ganya replied that he was paid by the PAC which got money from outside the country — Russia and communist countries.

In Pretoria yesterday, Mr David Pharasimbi told a terror trial court he joined the PAC after the Black People's Convention was banned last year.

Mr Pharasimbi, 28, has pleaded not guilty in the Supreme Court to four charges under the Terrorism Act. He is alleged to have helped PAC recruits leave South Africa to receive military training.

He said his concern about black education, housing, clothing and freedom had led him to become involved in politics in 1969.

Legislation which affected blacks was passed without their being consulted, he said.

The trials continue —
SAPA

'Suicide detainee recruited for PAC'

Staff Reporter

BETHAL. — A Johannesburg naturopath who allegedly committed suicide in detention last year played a part in recruiting school pupils for military training in Swaziland it was claimed in the Bethal Circuit Court yesterday.

"Doctor" Naoboth Ntshuntsha, who is listed as a co-conspirator in the Pan Africanist Congress terror trial, allegedly organised transport for the youngsters to go to Swaziland.

Mr X, who may not be identified, was giving evidence yesterday before Mr Justice Curlewis at the trial of 18 alleged members of the PAC, who have all pleaded not guilty to charges under the Terrorism Act.

Mr X said in evidence that on one of his trips to Swaziland a PAC leader addressed a number of school pupils, and told them the ANC was not a good organisation because it had "enemies" in its ranks. He was referring to whites, the witness said.

The leader told the pupils not to go over to the ANC, Mr X said.

Mr X testified against three of the accused: Mr Michael Khala, who allegedly accompanied him to Swaziland; Mr John Ganya, who allegedly instructed them to go to Swaziland to collect money; and Mr Alfred Ntshali-Ntshali, a taxi driver, who allegedly took them to Swaziland.

Mr X said Mr Ganya

told him he wanted him and Mr Khala to go to a certain person in Swaziland and tell him they needed money for transporting the children and to buy them food.

Later Mr Khala told him Mr Ganya recruited children and sent them to Swaziland, Mr X said.

Mr X said the next day they went to a house where there were a number of children. A man at the house, whom he later learned was Mr Ntshuntsha, told the children to proceed to the cars.

Later that day the witness, Mr Khala and 18 pupils left for Swaziland in two vehicles.

The trial continues on Monday.

POPULATION EXISTING THREE VHW PROGRAMMES

TEBELLONG
 The improvement of the level of health in the villages in the Scott Hospital region

To establish community based health service structure by identifying:

That women chosen by their own people accept certain designated responsibilities in their own villages

Lucas had then grabbed him and a scuffle ensued. When Mr Ngucka pushed him, Lucas made to draw a gun but two other attorneys in the PAC trial came on to the scene and asked Lucas what he was doing. Lucas did not take his gun out of its holster.

Then he started assaulting me with his fists which I warded off. Mr Ngucka said:

Mr Ngucka said nothing and Lucas swore at him. When Mr Ngucka swore back, Lucas said he was being insulted and demanded an apology.

While he was walking in the passage of the hotel, Lucas asked him who he was. He replied that he was part of the defence team in the Pan African Congress terrorism trial and Lucas accused him of getting clever.

Mr. Bulelani Ngucka told the Bethal Magistrate's Court that after a trip to Johannesburg he returned to the Motel Christo at about 2 am. He could not find the key to his room.

BETHAL — A Roodepoort salesman, Cyril Lucas, 31, yesterday fined R30, or 30 days, for assaulting a lawyer. He had pleaded guilty.

Staff Reporter

Fined for assault on PAC lawyer

R.M. 18/8/78
 1331

(continued on next page)
 Therapy
 Patients to continue
 clinic utilization
 ing;
 eaks
 ous disease
 Promotion

Motivation/Promotion
 Encouraging
 MCH clinic utilization
 Follow up:
 chronic coughers
 TB defaulters
 hygiene
 treatment
 scabies and sores
 care of aged

TEBELLONG
 Villages surrounding the hospital
 Two days
 Approximately every 2 months
 Demonstrations on:
 immunization
 hygiene
 nutrition
 TB

Each community chose 5 volunteers; hospital staff selected 2 staff members for VHW Programme

2 to 4 each village

Le diseases
 u. methods
 raining in:
 education

n/Promotion

GOALS
 To obtain optimal contact between institutional health & consumer by training VHW's
 OBJECTIVES
 Assist VHW in identifying: local health needs/problems solving the above After one year VHW's provide simple curative care

SELECTION OF VHW'S
 By mothers attending MCH Clinics
 Through: Chief, MO, or Sister in charge
 NUMBER OF VHW'S
 Originally 10; 2 dropped out; one added. "Up to 120 in near future"

LOCATION OF VHW'S
 9 villages East of Quthing

INITIAL TRAINING
 SUBSEQUENT TRAINING
 CONTENT

Group discussion
 demonstrations
 ticals/films
 immunization
 basic hygiene
 family planning
 pregnancy & for pregnant women
 weaning food
 hood after
 basic nutrit
 TB and VD
 hospital MC

SERVICES
 PERISHED
 Motivation/Promotion
 Reporting:
 common disease
 breaks
 drinking water
 local sanitation
 Encouraging
 MCH Clinics
 Family planning
 Contact:
 3 families per week
 for health education

Star 18/8/78

Terror trial told of child recruits

(331)

BETHAL — A Johannesburg naturopath who allegedly committed suicide in detention last year played a part in recruiting schoolchildren to Swaziland for military training, it was said in the Bethal Circuit Court yesterday.

Doctor Naoboth Ntshutsha, who is listed as a co-conspirator in the Pan Africanist Congress Terrorism Act trial, organised transport for children to go to Swaziland.

Mr X, who may not be identified, was giving evidence before Mr Justice Curlewis in the trial of 18 alleged members of the PAC who have all pleaded not guilty.

The witness spoke of two trips he made to Swaziland to collect money and said after Dr Ntshutsha had been arrested he told his friend "this job is no good."

Among the points in his evidence was that on one of his trips to Swaziland, a PAC leader addressed a number of schoolchildren and told them the ANC was not a good organisation because it had enemies in its ranks. He was referring to whites, the witness said.

The leader also said PAC boys were inclined to steal boys who belonged to the ANC. He told the children not to go over to the ANC.

Mr X testified against three of the accused:

- Mr Michael Khala, who accompanied him to Swaziland.

- Mr John Ganya, who instructed them to go to Swaziland to collect money.

- Mr Alfred Ntshali-Ntshali, a taxi driver who took them to Swaziland.

The hearing continues on Monday. — Sapa.

How banks lost out on R55 801

N M 18/8/78 (331)
Court Reporter

TWO men were yesterday convicted at the Durban Criminal Sessions of using false British passports to obtain foreign currency from city banks.

Allan Perel (35) and Bruce Willis King (40) were also convicted of contravening Exchange Control Regulations by unlawfully using the currency for a purpose other than foreign travel.

They pleaded guilty to both charges.

Perel and King initially appeared with two other men, Mr. Graham Ingram (39) and Mr. Graham Milton Aldridge (44), but a separation of trials was ordered after Mr.

Ingram and Mr. Aldridge pleaded not guilty.

They were remanded to August 28 for trial.

Mr. Justice Friedman was told certain men acted as intermediaries between the accused and people who wanted to exchange rands for foreign currency.

Names of fictitious persons were inserted in British passports, which were then handed to "runners."

Using a valid air ticket and the passport, which bore his photograph, the runner would apply for travellers' cheques worth R2 000.

After buying the cheques he would sign them a second time and pass them on to a "bagman."

Bagman

The bagman would then hand the runner a new passport and cash and the procedure would be repeated.

The accused defrauded Durban banks of currency worth R55 801 between January and March 1977.

Mr. Willem Booysen SC, who appeared for Perel and King, said Perel was under the influence of alcohol when he committed the offences.

Sentence will be passed on Monday.

ANC helper jailed for 30 months

Court Reporter

THERE was no room for trouble-makers in South Africa's present political climate, a Durban Regional Magistrate said yesterday.

Mr. X. Odendaal was jailing Mbongeni Clement Khanyi (53), a former Clermont taxi operator, for two years and six months after convicting him of contravening the Internal Security Act by taking part in the activities of the banned African National Congress.

The Court found Khanyi had distributed literature concerning the organisation which dealt with the restoration of the ANC and the use of armed struggle and revolutionary violence, combined with legal and illegal methods to overthrow the Government.

Khanyi pleaded not guilty. He admitted distributing the literature, but denied this constituted taking part in the activities of the ANC.

He also claimed he was unaware of the literature's contents.

He said he had brought the literature to South Africa from Lesotho early in 1977 at the request of a Dr. Pascal Ngakane, whom he had previously known in Clermont.

Dr. Ngakane had asked him to bring it to Durban and give it to his (Dr. Ngakane's) friends.

Khanyi admitted two previous convictions — for being a member of a banned organisation and for taking part in the activities of an unlawful organisation.

Passing sentence, Mr. Odendaal said Khanyi had distributed the literature, which clearly promoted racial hostility and violence.

The Court took a particularly serious view of this as there was no room for trouble-makers in the country's present political climate.

Mr. Odendaal said Khanyi's previous convictions should have served as a warning that he was on the wrong path.

Mr. Odendaal said he took into account Khanyi had been in custody since July last year.

Mr. C. R. Nicholson appeared for Khanyi and Mr. J. Kruger for the State.

Star 22/8/78
**PAC 'successful
(331)
in recruiting'**

BETHAL — The Pan Africanist Congress was successful in organising boys for military training, but had difficulties with transport, it was claimed in the Bethal Circuit Court today.

Mr "S," who may not be identified, was testifying against Mr John Ganya, an accused in the trial of 18 alleged members of the banned PAC who are appearing before Mr Justice Curlewis. All accused have pleaded not guilty to charges under the Terrorism Act.

The witness told the court that during a conversation with Mr Ganya in 1976, Mr Ganya told him he was successful in recruiting boys for training but suspected a man who accompanied the boys to be working with the police.

Mr Ganya said whenever this man accompanied the boys they were arrested. But it never happened when his co-worker, Dr Naoboth Ntshunsha, who died in detention last year, accompanied them, the witness said.

(Proceeding)

PAC planned black rule in SA — Mr S

Staff Reporter

BETHAL. — A man who served 12 years on Robben Island told the Bethal Circuit Court yesterday that the Pan-Africanist Congress planned to overthrow the Government so blacks could rule the country.

Mr S, who may not be identified, was giving evidence before Mr Justice Curlewis in the trial of 18 alleged members of the PAC.

All have pleaded not guilty to charges of participating in terrorist activities, alternatively of furthering the aims of the banned PAC.

Pointing to one of the accused, Mr Zeph Mothopeng, 65, Mr S said Mr

Mothopeng was his leader.

Mr S told the court that while he was on Robben Island there was a split in the PAC and a secretariat was formed to try and bring the factions together.

Among the 21 members of the secretariat were Mr S and two of the accused, Mr Mark Shinnars and Mr Hamilton Keke, the witness said.

Mr S said secret political meetings — concerning PAC procedure and what they were to do after the country was liberated — were held on Robben Island.

"The present Government would be removed and Africans would take over," the witness said.

Mr S said shortly after

his release from Robben Island in June 1976 he went to see Mr Shinnars. Mr Shinnars told him students had asked him what they should do to prevent political people from joining their struggle.

He was referring to members of the banned African National Congress who were troubling the students, the witness said.

Mr S said in September 1976 he saw Mr John Ganya — another accused in the trial — at the offices of the South African Council of Churches. Mr Ganya told him he was busy organising boys and sending them for training. Mr S said.

The hearing continues today.

RDM 22/8/78
**Botswana trip
plea refused** (331)

Pretoria Bureau

IN A Terrorism Act trial yesterday the Pretoria Regional Court turned down the application by the defence that a legal commission be sent to Botswana to adduce evidence from defence witnesses.

The application was made last Friday by Mr David Soggot during the trial of cousins, Mr Gerald Thebe, 20, of Atteridgeville, Pretoria, and Mr Piet Thebe, 23, of Soweto.

They pleaded not guilty last week to a charge of conspiring to take part in terrorist activities.

The case continues today.

Queenstown 13 on riot charges

GRAHAMSTOWN — Thirteen people charged under the Terrorism Act in the Supreme Court here yesterday pleaded not guilty.

Some also pleaded not guilty to alternative charges of arson, public violence, intimidation and malicious injury to property.

The charges arise from riots in Queenstown in September and October last year and an alleged plot to invade the town and attacking the police station.

Nine of the 13 are alleged to have formed the Queenstown African Students' Union to forcibly overthrow the South African Government.

Four of the accused yesterday admitted writing letters delivered in Queenstown, but denied that they were in-

tended to be intimidatory.

The Deputy Attorney General of the Eastern Cape, Mr P. Strauss, told the court he intended to call about 40 witnesses.

Mr J. Poswa, appearing for the 13, indicated he might be prepared to admit that shops were damaged during the riots which would make it unnecessary to call many witnesses.

The accused are: Mr Aubridge Takane, 43, Mr James Mbengo, 63, Mrs Ebenzress Mbengo, 65, Mr Sipo Sondolo, 50, Mr Glen Thomas, 23, Mr Bubele Mfenyana, 22, Mr Andile Kofi, 18, Mr Yvsumzi Mjila, 18, Mr Phambill Ntloko, 18, Mr Zandisile Windvoel, 20, Mr Esdras Ntloko, 23, Mr Mncedi Mbilini, 21, and a 17-year-old youth. — DDC.

ment, TV, Radio, Stars . . . 8 Weather, Tides, Ships, Aircraft . . . 7
ads . . . 10-12 Business, racing . . . 13 Sports . . . 14

RAM 23/8/78
'PAC recruited boys'

Staff Reporter

(331)

BETHAL: — The Pan-Africanist Congress successfully recruited boys for military training, but mistrusted a man who accompanied the boys, the Bethal Circuit Court was told yesterday.

Mr S, who may not be identified, was testifying against Mr John Ganya, an accused in the trial of 18 alleged members of the banned PAC who are appearing before Mr Justice Curlewis.

All accused have pleaded not guilty to charges

under the Terrorism Act.

The witness said that in 1976, Mr Ganya told him he was successful in recruiting boys for training, but suspected that a man who accompanied the boys was working with the police.

Mr Ganya said whenever this man accompanied the boys they were arrested. But it never happened when his co-worker, Mr Naoboth Ntshuntsha, who died in detention last year, accompanied them, the witness said.

The trial continues today.

Swazi PAC route alleged

24/8/78
#331

JOHANNESBURG — A state witness told the Bethal Circuit Court yesterday he was recruited to go to Tanzania where he would join the Pan-Africanist Congress and come back to fight for freedom.

Mr Y, who may not be identified, was giving evidence before Mr Justice Curlewis in the trial of 18 alleged members of the PAC who have all pleaded not guilty to charges under the Terrorism Act.

The witness said that at the end of 1976 Mr Michael Khala, an accused in the trial, told him the Government was not giving the children good education and asked him if he was interested in going to Swaziland to join the PAC.

Mr Khala said he knew of a secret route, the witness said.

Mr Y said he was not interested in going but in January 1977 Mr Khala persuaded him that an "uncle", who was later identified as Mr John Ganya, another accused, wanted to see him.

Mr Ganya told him he was in charge of transport and that they would stay in Swaziland for a short while before proceeding to Tanzania. — SAPA.

Witness tells of threats

GRAHAMSTOWN — A policeman's wife yesterday told the Supreme Court here yesterday she hid seven children under their beds as her house was surrounded by a mob screaming that she was going to die.

Mrs Eunice Tsawe was giving evidence in the trial of 13 Queenstown people charged under the Terrorism Act, alternatively with sabotage or conspiring to commit public violence.

They have all pleaded not guilty to the charges which arise from unrest in Queenstown on September 30 last year and an alleged plot aimed at the violent overthrow of the South African Government.

Mrs Tsawe said she thought the singing, drum-beating mob which had gathered outside her home in Queenstown was a Zionist congregation.

Then they began to stone the house.

"I was screaming," she said. "I heard someone say 'let's pour petrol at the door so they can't get out'."

The court also heard yesterday two rioters died after they were fired by police. W/O Nicholas Keyser told how he and other policemen in a patrol van had been threatened by a stone-throwing mob. He tried to reverse away from them but they charged the vehicle. Two youths died in the shooting.

The case continues today. — DDC.

Women tell of mob violence

GRAHAMSTOWN — "I thought I was dreaming," a policeman's wife told the Supreme Court here yesterday as she described how her house was stoned by a mob shouting black power slogans.

Mrs Yvone Msangwa was giving evidence in the trial of 13 Queenstown people charged under the Terrorism Act, alternatively, with sabotage or conspiracy to commit public violence.

The 13 have pleaded not guilty to the charges which stem from unrest in Queenstown last year and

an alleged plot aimed at violent overthrow of the South African Government.

Mrs Msangwa said that on the night of September 30 she was asleep in her home with her three children when she heard a noise outside.

"Then I heard stones being thrown through the windows. All the time I thought I was dreaming."

A stone that hit the wall above her head woke her fully and she got up to find all the windows broken.

She said she heard people outside shouting black

power slogans and, with her children clinging to her nightdress, she opened the front door. Someone asked where the dog was.

"I said I did not have a dog and he hit me and said: 'Where is that dog Mzangwa?'"

The mob fled when police vans arrived.

Miss Gladys Ngculo told the court that on the night of October 1 she watched as a mob burnt down the house of her boyfriend, a detective.

The mob found her in

the house, but she walked away as they argued over whether to assault her or kill her.

The accused are: Mr. Aubridge Takane, 43, Mr. Jameson Mbengo, 63, Mrs. Ebenzress Mbengo, 55, Mr. Sipo Sondlo, 50, Mr. Glen Thomas, 23, Mr. Bybele Mfenyana, 22, Mr. Andile Koti, 18, Mr. Vusumzi Mjila, 18, Mr. Phambili Ntloko, 18, Mr. Zandisile Windvoel, 20, Mr. Esdras Ntloko, 23, Mr. Mncedi Mbilini, 21, and a youth of 17.

The trial continues today. — DDC.

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331

The trial continues today. — SAPA.

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just around (photograph) each side are bird-like forms and
(breath) for the usual - and

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THE PERCENTAGE SHARE OF INDUSTRIES IN GDP

65 years with central year	Agriculture, forestry and fishing	Mining and quarrying	Secondary industry	Services
1915	22.9	24.7	7.6	44.9
1920	24.3	19.8	9.5	46.4
1925	22.7	20.4	10.1	47.3
1930	23.4	19.1	10.7	46.8
1935	22.2	14.9	14.4	48.5
1940	19.6	14.0	16.1	50.3
1945	16.9	11.2	17.8	54.1
1950	14.7	10.7	22.3	52.3
1955	14.4	11.5	23.9	50.2
1960	13.1	13.8	24.2	48.9
1965	11.4	13.8	26.6	48.2

Source: Board (1969) Table 1-1

Other estimates:

Year	Share of agriculture, forestry and fishing
1920	22%
1930	9%
1960	11.8%
1970	8.7%

Source: Lipton (1975) Lipton (1975) Senbank Senbank

Other estimates:

Share of agriculture forestry

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Terror trial witness alleges police assault

GRAHAMSTOWN — A state witness told the Supreme Court here yesterday that police assaulted him with sjamboks, batons and sticks before he made a statement to them.

On trial are 13 Queenstown people charged under the Terrorism Act with alternatives of sabotage or conspiracy to commit public violence.

They have pleaded not guilty to the charges which arise from unrest in Queenstown in September last year.

Evidence by the witness, a youth of 18 who may not be identified because the trial is being heard partly in camera, was called into question by the prosecutor, Mr P. Strauss. He said the youth had deviated from a statement to the police in which he said one of the accused, Mr Glen Thomas, 23, had told a meeting that Queenstown people would have to go abroad for military training.

"That is just what I made up myself," said the youth. "I made two statements that were not accepted by the police. They told me I was telling lies."

"This is the third statement."

He said he was assaulted at the Queenstown police station by the police who arrested him in October. He was told he would die if

he did not tell the truth.

The youth showed the court pale marks on his back which he said were from the assault.

Mr Strauss asked for an adjournment and said the youth's "change of heart" had surprised him.

The youth was the second state witness impeached by the prosecutor. Earlier this week, a 19-year-old witness alleged he had been assaulted by police, and had made a false statement.

Yesterday a third youth said one of the accused, Mr J. Mbengo, 63, told a meeting in Queenstown in July last year that an organisation must be formed to "fight the Boers."

He said he was a member of the ANC and this organisation, to be known as the Queenstown African Students' Organisation, would revive the power of the black people.

The trial continues today. — DDC.

The figures were obtained from a survey of

similar circumstances to the dependants of our survey.

a cost of the minimum nutritional requirements for

culated. Then from Population Census age distribution

rage was calculated for school-going and non-school-

ively. This enabled us to obtain the four relative

Below, we provide details of our calculations.

thly cost of expenditure on basic necessities in

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homeland situation (KwaZulu) and is therefore more

dependants than Cape Town dependants. It provides

is with and without education.

Songs and violence in court

Mercury Bureau

PIETERMARITZBURG — Violence erupted in the Supreme Court here yesterday when Security Police and uniformed police clashed with eight Blacks who were singing "freedom" songs.

Blows were exchanged and a rail in front of the dock was broken as the accused, one of them a woman, refused to leave the courtroom until they had finished their song.

The fighting started just after 11 a.m. when Mr. Justice Kriek adjourned the Court for an hour to allow Mr. T. van Rensburg, appearing for the State, to fetch a document from the Attorney-General.

As he left the court the accused, who were all facing terrorism charges, turned, faced the crowd, raised clenched fists and began singing.

Security Police immediately moved in and pulled at the accused to get them to leave the dock, but when they resisted a free-for-all broke out.

Court officials retreated to the doors of the court and watched as one of the accused climbed on to the back of the dock and became involved in an altercation with a spectator.

After the last of the accused was pushed or dragged out of court Mr. Justice Kriek reconvened immediately and warned that he would not tolerate any future disturbances.

Explained

He ordered that in future the accused would leave court before he did and return after he had resumed sitting.

Later Mr. M. Moerane, who is appearing for four of the accused, told Mr.

requested by the accused to state they intended no disrespect to the Court.

He said the disturbance was the result of contact between the Security Police and the accused.

The accused are Mr. Timothy Muntu Nxumalo (21), Mr. Sithembiso, Mr. Ernest Ngobese (26), Mr. Themba Patrick Nxumalo (26), Mr. Eric Fanavele Mlaba (22), Mr. Nhlanhla Victor Euclid Ngidi (25), Mr. Kwenzakwakhe Elijah Mlaba (26), Mr. Penuel Mampa Maduna (26) and Miss Sibongile Albertina Kubheka (27).

The trial was adjourned to September 11 to give the defence time to prepare its case.

Mr. P. Langa and Mr. M. Moerane are appearing for the defence, and Mr. T. van Rensburg and Mr. P. Kruger, for the State.

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Court brawl over terror trial singing

Own Correspondent

MARITZBURG. — Violence erupted in the Maritzburg Supreme Court yesterday when Security Police and uniformed police clashed with eight blacks who sang while appearing on terrorism charges.

Blows were exchanged and a rail in front of the dock was broken as the accused, one of them a woman, refused to leave the courtroom until they had finished their song.

The fighting began when Mr Justice Kriek adjourned the court for an hour to allow the State advocate to fetch a document.

As he left the court the accused turned, faced the crowd, raised clenched fists and began to sing.

Security Police immediately moved in and

grabbed at the accused to pull them from the dock. When they resisted a free-for-all broke out with accused and Security Police freely exchanging blows.

Court officials retreated to the doors to watch as one accused climbed onto the back of the dock and became involved in an altercation with a spectator in the crowd.

After the last accused had been dragged out, Mr Kriek reconvened immediately and warned that he would not tolerate any future disturbances.

He ordered that in future the accused would leave court before he did and return after he had resumed sitting.

Later Mr M Moerane, who is appearing for four of the accused, told Mr Justice Kriek he had been

requested by the accused to state they intended no disrespect to the court. The disturbance had been the result of contact between themselves and the Security Police.

The accused are Timothy Muntu Nxumalo, 21, Sithembiso Ernest Ngobese, 26, Themba Patrick Nxumalo, 26, Eric Fanavele Mlaba, 22, Nhlanhla Victor Euclid Ngidi, 25, Kwenzakwakhe Elijah Mlaba, 26, Penuel Mampa Maduna, 26, and Sibongile Albertina Kubheka, 27.

Four face two charges under the Terrorism Act, while the other four face one, and Mr Nxumalo faces three counts and one of attempted murder.

The trial was adjourned to September 11 to give the defence time to prepare its case.

6/9/78 R.D.M.
(331)

Fisticuffs in Supreme Court

Cape Times

6/9/78

331

Own Correspondent

MARITZBURG. — Violence erupted in the Supreme Court here yesterday morning when police clashed with eight people appearing on terrorism charges who sang freedom songs in court.

Blows were exchanged and a rail in front of the dock was broken as the accused, one a woman, refused to leave the courtroom until they had finished their song.

The fighting started at about 11 am, after Mr Justice

Kriek had adjourned the court. As he left the accused turned, faced the spectators, raised fists and began singing.

Security police pulled at the accused to get them to leave the dock, but when they resisted a free-for-all broke out, with accused and security police exchanging blows.

After the last of the accused had been removed Mr Justice Kriek reconvened and warned that he would not tolerate any future disturbances.

Later Mr M Moerane, who is appearing for four of the accused, told the judge that he had been asked by the accused to say they intended no disrespect to the court. He said the disturbance was the result of contact between security police and the accused.

The accused are: Timothy Muntu Nxumalo, 21, Sithembiso Ernest Ngobese, 26, Themba Patrick Nxumalo, 26, Eric Fanavele Mlaba, 22, Nhlanhla Victor Euclid Ngidi, 25, Kwenzakwakhe Elijah Mlaba, 26, Penuel Mampa Maduna, 26 and Sibongile Albertina Kubheka, 27.

The hearing was adjourned.

the suffrage movement. The chapter on working women, for example, deals with working women's participation in the movement. Adams's *The Right to Be People* is also a narrative account of the women's rights movement, but with an even heavier emphasis on the suffrage campaign. Like Flexner, Adams gives a detailed account of factional struggles within the suffrage movement and a year-by-year account of the fight for the vote.

2. Elizabeth Cady Stanton, Mathilda J. Gage, and Susan B. Anthony, eds., *The History of Woman Suffrage* (New York: Arno Press, 1969), 6 vols.; Carrie Chapman Catt, *Woman Suffrage and Politics: The Inner Story of the Suffrage Movement* (New York: Scribner's, 1926).
3. Belle Squire, *The Woman Movement in America* (Chicago: McClurg, 1911), 285.
4. Adams, *The Right to Be People*, 3.
5. Aileen Kraditor, *The Ideas of the Woman Suffrage Movement* (New York: Columbia University Press, 1965); William O'Neill, *Everyone Was Brave: The Rise and Fall of Feminism in America* (Chicago: Quadrangle, 1969); William H. Chafe, *The American Woman: Her Changing Social, Economic, and Political Roles, 1920-1970* (New York: Oxford University Press, 1972).
6. William O'Neill, "Feminism as a Radical Ideology," in Alfred Young, ed., *Dissent* (DeKalb: Northern Illinois University Press, 1968).
7. Alice Desmond, *Alexander Hamilton's Wife* (New York: Dodd, Mead, 1952).
8. , for example, Fe and Lundberg and Maryna Farnham, *Modern Woman: The Lost Soul* (New York: F. P.: 1947) Christopher Lasch, *The New Radicalism in America* (New York: Vintage, 1955) also employs psychoanalytic theory.
9. Kurt Riegel, *American Feminists* (Lawrence: University of Kansas Press, 1963).
10. Margaret George, *One Woman's Situation* (Urbana: University of Illinois Press, 1970).
11. Edmund S. Morgan, *The Puritan Family: Religion and Domestic Relations in Seventeenth-Century New England* (New Haven: Yale University Press, 1948); Bernard Wishy, *The Child and the Republic* (Philadelphia: University of Pennsylvania Press, 1967); Margaret Benson, *Women in Eighteenth Century America: A Study of Opinion and Social Usage* (New York: Columbia University Press, 1935) is another good example of prescriptive history.
12. Julia Spruill, *Women's Life and Work in the Southern Colonies* (Chapel Hill: University of North Carolina Press, 1928); Elisabeth Anthony Dexter, *Colonial Women of Affairs: Women in Business and the Professions in America before 1776* (Boston: Houghton Mifflin, 1931, rev. ed.); Edith Abbott, *Women in Industry* (New York: D. Appleton, 1910).
13. Philippe Ariès, *Centuries of Childhood: A Social History of Family Life* (New York: Vintage, 1962). For a good example of one of the first efforts to integrate the history of American women into American social and economic development, see Carl Degler, "Revolution without Ideology: The Changing Place of Woman in America," in Robert Jay Lifton, ed., *The Woman in America* (Boston: Beacon, 1964).
14. See for example Gerda Lerner, "The Lady and the Mill Girl: Changes in the Status of Women in the Age of Jackson," *Midcontinent American Studies Journal* X (1969). Also see Carl Degler, "Revolution without Ideology," and Nancy Cott, ed., *Root of Bitterness* (New York: Dutton, 1972).
15. Gerda Lerner, *The Grimké Sisters from South Carolina* (Boston: Houghton Mifflin, 1967); George, *One Woman's Situation*; David Kennedy, *Birch Control in America: The Career of Margaret Sanger* (New Haven: Yale University Press, 1970).
16. Virginia McLaughlin, "Patterns of Work and Family Organization: Buffalo's Italians," *Journal of Interdisciplinary History* II (Autumn 1971).

17. Tillie Olsen, "A Biographical Interpretation," in intro. to Rebecca Harding Davis, *Life in the Iron Mills* (Old Westbury, N.Y.: Feminist Press, 1972), 79.

18. Ann Wood, "The 'Scribbling Women' and Fanny Fern: Why Women Wrote," *American Quarterly* XXIII (Spring 1971), and Ann Wood, "Mrs. Sigourney and the Sensibility of Iron Stairs," *ESQ* XV (June 1972), 163-81.

Youth claims he was tortured by police

QUEENSTOWN — The police had "signed" people they arrested after last year's riots in Queenstown by throwing them to the ground and trampling on them to leave marks, the Supreme Court here was told yesterday.

The witness, a youth who may not be identified, was the fourth consecutive State witness to allege he was forced by police to make a statement.

On trial are 13 Queenstown people who have all pleaded not guilty to a charge under the Terrorism Act and alternatives of sabotage or conspiracy to commit public violence.

The youth said he and other people who were arrested in October were assaulted by the police. He was beaten with batons and sjamboks.

He said he was arrested

again in January when security police allegedly tortured him in Tarkastad before he made a statement.

The youth said a man with small eyes made him strip to his underpants and told him to march back and forth in the office. "I did that until my legs were tired."

The man then tied his arms with a crepe bandage, forcing them up behind his back and tying the end of the bandage around his head and over his eyes, blindfolding him.

"It was painful. My head was pulled back, I had no balance and I was screaming. They were pushing me from side to side."

Four members of the Queenstown security police were brought into the court room, but the youth was unable to identify the man who tied him.

He said portions of the typed statement differed from what he had originally said.

An inquiry began yesterday to enable Mr Justice Kannemeyer to rule on the admissibility of statements made by some of the accused.

A member of the security police, W/O Matthee, denied from the witness box that one of the accused, Mr Z. Windvoel, 20, was assaulted in his presence the day after his arrest in November last year.

The other accused are: Mr A. Takane, 43, Mr J. Mbengo, 63, Mrs E. Mbengo, 55, Mr S. Sondlo, 50, Mr G. Thomas, 23, Mr B. Mfenyana, 22, Mr A. Koti, 18, Mr V. Mjila, 18, Mr P. Ntloko, 18, Mr E. Ntloko, 23, Mr M. Mbilini, 21, and a youth of 17.

The trial continues. — DDC.

repudiation of historical conditions.

28. McLaughlin, "Patterns of Work and Family Organization."

29. See Branka Magas, "Sex Politics: Class Politics," *New Left Review*, no. 66 (March-April 1971), for a lengthy discussion of this point.

30. Glenda Gates Riley, "The Subtle Subversion: Changes in the Traditional Image of the American Woman," *Historian* XXXII (1970), 210-27. A good critique of "sentimental subversion" is in Jill Conway's "Women Reformers and American Culture, 1870-1930," *Journal of Social History* V (1971), 164-77.

31. In two edited works, Mary Beard attempted such history by collecting women's

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Riots: police deny assaults

GRAHAMSTOWN. A former Queenstown charge office sergeant yesterday denied any knowledge of assaults allegedly made on people arrested after riots in Queenstown last year.

He was giving evidence in the Supreme Court here in the trial of 13 Queenstown people who have pleaded not guilty to a charge under the Terrorism Act and alternatives of sabotage or conspiracy to commit public violence.

The court is hearing evidence to determine whether statements made by three of the accused may be admitted as evidence.

Retired policeman Mr J. van Eck said he had been charge office sergeant when three of the accused were handed to him on two evenings in November last year.

He denied that they were forced to strip before being put into a cell and said they were not assaulted in his presence.

He was not aware of policemen thrashing and jumping on people after mass arrests the previous month.

Sgt John Foreword, who took over from Sgt Van Eck the morning after two of the accused had been brought to the police cells, said there were no complaints from prisoners that morning.

He had been in the police for 30 years and in all that time he could not remember any incident where police had assaulted people they had arrested.

If he had heard screams and shouts from the nearby security police offices he would have investigated.

The accused are Mr A. Takane, 43, Mr J. Mbengo, 63, Mrs E. Mbengo, 55, Mr S. Sondlo, 50, Mr G. Thomas, 23, Mr B. Mfenyana, 22, Mr A. Koti, 18, Mr V. Mjila, 18, Mr P. Ntloko, 18, Mr Z. Windvoel, 20, Mr E. Ntloko, 23, Mr M. Mbilini, 21, and a 17-year-old youth.

Mr Justice Kannemeyer was on the Bench. The trial resumes today.

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Terror trial tension over alleged signs

GRAHAMSTOWN — There was tension in the Supreme Court here yesterday where it was alleged a security policeman had been making signs to witnesses giving evidence in the Terrorism Act trial.

On trial are 13 Queens-town people who have pleaded not guilty to a charge under the Terrorism Act and alternatives of sabotage or conspiracy to commit public violence.

Mr Justice Kanne-meyer is hearing evidence to determine the ad-missibility of alleged con-fessions made by certain of the accused.

While Mr J. Poswa, for the defence, was cross-examining a security policeman, Sgt J. Rossouw, the prosecutor, Mr P. Strauss, turned to defence attorney Mr J. Dunn and asked him why he was watching him.

"You are making me nervous," Mr Strauss said.

Mr Poswa then inter-rupted his cross-examina-tion to tell the judge he had received reports that a security policeman who is one of the investigating officers, W/O N. G. Du-randt, had been making indications to the witness from his seat in the court.

He had also received complaints about a Lt Steyn who is assisting the prosecutor.

Mr Poswa said Lt Steyn was having difficulty in restraining himself when he found things were not going his way.

Mr Justice Kanne-meyer refused his request that Lt Steyn be asked to leave the court.

W/O Durandt had ear-lier told the court that as far as he knew, earlier state witnesses' evidence that they had been assaulted by police was false.

He is alleged to have been present when one of the accused, Mr E. Ntloko, 23, was allegedly assaulted by the head of the Queens-town Security Police, Maj Stander.

W/O Durandt said this was not the first time allegations of assault had been made against him.

The other accused are Mr A. Takane, 43, Mr J. Mbengo, 55, Mrs E. Mbengo, 55, Mr S. Sondlo, 50, Mr G. Thomas, 23, Mr B. Mfenyana, 22, Mr A. Koti, 18, Mr V. Mjila, 18, Mr P. Ntloko, 18, Mr Z. Windvoel, 20, Mr M. Mbilini, 21, and a 17-year-old youth.

The trial resumes next week. — DDC.

Torture allegations denied

Mercury Bureau

PIETERMARITZBURG — A security policeman denied in the Supreme Court in College Road here yesterday that he had subjected a suspect to "incessant torture."

social scientists⁴⁷ sketch the migrant 1 with low occupational and wage aspiratic the view that migrant labourers come to build up a certain level of savings that while away their time in the sun for mon scoffling and hoeing the fields and repa menfolk with ample food and beer.⁴⁸

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Mr. Justice Kriek that a Colonel Coetzee of the Security Police had refused to allow him to use the room in the court building set aside for consultations. He complained that he and Mr. P. Langa had had to carry out their consultations standing in the cells with the accused and he said the defence counsel was being obstructed by Colonel Coetzee.

Mr. T. van Rensburg, for the State, said Colonel Coetzee was in charge of security in the Court and the accused were a security risk.

47. e. ag pa Al Mr. Justice Kriek said that it was highly unsatisfactory for consultations to take place in the cells and he ordered the State counsel to investigate.

48. "T a th He said he would discuss the matter with the State and defence counsels before today's hearing.

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Westcott (1976), p this White stereotyping of Africans, s ship, (Panther, 1974), "Five Bags of M

Detective-Sergeant M. B. Ntombela, of the Security Police in Durban, was giving evidence in a trial in which seven African men and a woman are facing charges under the Terrorism Act.

Sergeant Ntombela denied allegations put to him by Mr. M. Moerane, for the defence, that one accused, Mr. Timothy Muntu Nxumalo (21), was stripped naked during an interrogation and that he was interrogated continuously from Tuesday April 11 this year to Thursday April 13.

The accused are Mr. Nxumalo, Mr. Sithembiso Ernest Ngobese (26), Mr. Themba Patrick Nxumalo (26), Mr. Eric Fanavele Mlaba (22), Mr. Nhlanhla Victor Euclid Ngidi (25), Mr. Kwenzakwakhe Elijah Mlaba (26), Mr. Penuel Mampa Maduna (26) and Miss Sibongile Albertina Kubheka (27).

Sergeant Ntombela said that he and Sgt. S. J. Nduli went to a house in Umlazi where they found Mr. Nxumalo.

They searched a bedroom where Mr. Nxumalo said he had been sleeping and found a plastic bag with a magazine for a pistol containing bullets.

They also found a 7,65mm pistol and more rounds.

Denied

Sgt. Ntombela denied that Mr. Eric Mlaba was ordered to sit on the floor of his office with his hands handcuffed behind him and was then lifted by the handcuffs.

After lunch yesterday Mr. Moerane, who is appearing for four of the accused, told

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Firebomb murder accused in chains

Staff Reporter

A MAGISTRATE yesterday ordered leg shackles to be taken off two young men when they appeared before him on charges ranging from murder to arson and a Terrorism Act count.

The court heard that a Soweto school principal's wife and two daughters died in hospital after a firebomb attack allegedly launched on their home by the two accused.

Mr Linda Mario Mogale, 18, and Mr Elias Jimmy Mabaso, 22, appeared be-

fore Mr L C Kotze in the Johannesburg Magistrate's Court on three charges of murder, three of arson, three of malicious damage to property and one charge under the Terrorism Act.

The two men pleaded not guilty to all charges, including an alternative charge under the Sabotage Act.

According to the charge sheet, the two men threw petrol bombs into the Soweto house of a school principal, Mr Johannes Nkosi, on February 19, setting it alight.

Mrs Verina Nkosi died of her burns in the Baragwanath Hospital on March 1, and two of their daughters, Nomgquibela and Thabisile, also died later. The court was told that a month later, on March 21, the men firebombed the house of another school principal, Mr Mashumi Paul Mzaiduma.

On the same night they intended to burn the house of a third principal, but because Mr Mabaso gave Mr Mogale the wrong address, Mr China Wilfred Ngema's house was set

alight by mistake, it was alleged.

The prosecutor told the court the pair joined the Soweto Students League, after the Soweto Students Representative Council was banned.

This year the SSL accepted the aims of the South African Revolutionary Council, which had the object of overthrowing the Government and endangering law and order, it was alleged.

The hearing was adjourned to September 28. Both accused are in custody.

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Terrorism trial told of 'mission'

14/9/78 (331) N.M.

Mercury Bureau

PIETERMARITZBURG — An accused in the terrorism trial here told his father — a priest — he had returned from Russia, Angola and Tanzania with a mission to kill five men, including a Chester-ville town councillor, the Supreme Court heard yesterday.

The father, Mr. Clifford Ndoda Nxumalo (54), has been detained by Security Police since April 14 this year.

37. Have you

Mr. Nxumalo told Mr. Justice Kriek that in October last year his son, Mr. Timothy Muntu Nxumalo (21), told him he was leaving the country to undergo military training.

At the beginning of Mr. Nxumalo's evidence yesterday Mr. M. Moerane, for the defence, asked for all members of the Security Police to be excluded from court for the rest of his testimony.

38. Have you

Mr. Moerane told Mr. Justice Kriek there were allegations Mr. Nxumalo had been assaulted by Security Police, and he would talk more freely if they were not in court.

39. How old

Mr. Justice Kriek ordered that it would be safest in the interests of justice if all Security policemen, apart from the investigating officer, Warrant Officer C. A. P. Robertshaw, left court while Mr. Nxumalo gave evidence.

The accused in the trial are Mr. Timothy Nxumalo, Mr. Sithembiso Ernest Ngobese (26), Mr. Themba Patrick Nxumalo (26), Mr. Eric Fanavele Mlaba (22), Mr. Nhlanhla Victor Euclid Ngidi (25), Mr. Kwenzakwakhe Elijah Mlaba (26), Mr. Penuel Mampa Maduna (26) and Miss Sibongile Albertine Kubheka (27).

They are appearing on charges under the Terrorism Act, and Mr. Nxumalo is also charged with attempted murder. They have pleaded not guilty to all charges.

Mr. Clifford Nxumalo told the Court that after his son told him he was leaving the country for military training he gave him R20 and did not see him again until April 2 this year, when he saw him at his sister's house.

Mr. Nxumalo said his son told him he had been to Tanzania where he had undergone military training, and he had also visited Luanda and Russia. He told the Court his son showed him a gun and two magazines, one with bullets in it.

If not

Mr. Nxumalo said on April 9 his son woke him up at his home and said he had shot at the Chesterville town councillor but had missed. The gun had refused to fire a second time.

Mr. Nxumalo said he drove his son into Durban, where he dropped him off in West Street.

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The hearing was adjourned to today.

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14/9/78 R.B.M. (331)

SP ordered out of terror trial court

Own Correspondent

MARITZBURG. — The judge ordered Security Police out of the courtroom in the interests of justice while a witness in a terror trial in the Maritzburg Supreme Court gave evidence yesterday.

Defence counsel, Mr M Moerane, asked for the Security Police to be excluded during testimony by a priest, Mr Clifford Ndoda Nxumalo, 54, because there were allegations that he had been assaulted by Security Policemen and he would talk more freely if they were not in court.

Mr Justice Kriek ordered that it would be safest in the interests of justice if all Security policemen, apart from the investigating officer, Warrant Officer C A P Robertshaw, left the court while Mr Nxumalo gave his evi-

dence.

Mr Nxumalo, father of one of the accused, has been detained by Security Police since April 14 this year.

Mr Nxumalo told the court that after his son, Mr Timothy Muntu Nxumalo, 21, told him he was leaving the country for military training last October, he gave him R20.

The next time he saw him was on April 2 at his sister's house.

His son told him he had undergone training in Tanzania and had also visited Luanda and Russia.

Timothy told him he had a list of five men he had been ordered to kill, including Mr Elbert Mteku, a Chesterville town councillor.

Mr Nxumalo told the court his son showed him a gun and two magazines, one with bullets in it. Shown a pistol and two

magazines which are exhibits in the trial, he said they were not the ones his son had shown him.

On April 9 his son woke him up at home and said he had shot at Mr Mteku, but had missed. The gun had then jammed.

After Mr Nxumalo's evidence, Mr Moerane applied for an adjournment to give the defence time to consider his testimony, which had caught the defence by surprise.

The accused in the trial are Mr Timothy Nxumalo, Mr Sithembiso Ernest Ngobese, 26, Mr Themba Patrick Nxumalo, 26, Mr Eric Fanavele Mlaba, 22, Mr Nhlanhla Victor Euclid Ngidi, 25, Mr Kwenzakwhe Elijah Mlaba, 26, Mr Penuel Mampa Maduna, 26, and Miss Sibongile Albertine Kubheka, 27.

The trial continues today.

Terror accused were freed then re-arrested

Own Correspondent

PORT ELIZABETH. — Two men detained in November last year by the Queenstown Security Police on suspicion of malicious injury to property were not taken before a magistrate at the end of the statutory 48-hour period but were released and immediately re-arrested.

This was said yesterday by the commander of the Queenstown Security Police, Major M Stander, in the Grahamstown Supreme Court.

Thirteen Queenstown people — including the two men, Mr A Koti, 18, and Mr E Ntloko, 23 — face a charge under the Terrorism Act and alternative charges of sabotage or conspiracy to commit public violence.

All have pleaded not guilty.

Mr Justice Kannemeyer is hearing evidence to determine the admissibility of alleged confessions made by three of the 13.

Major Stander said that when the two men were

released and re-arrested he had no case against Mr Koti. He had not taken them to a magistrate because investigations were not complete.

His headquarters in Pretoria had not yet answered his request to have them detained under section Six of the Terrorism Act.

"Headquarters does not issue orders for detention left right and centre," said Major Stander.

"You have to motivate your request." Mr Koti was later released for a second time after he agreed to work with the police on a friendly basis. He pointed out houses to the police but was detained a third time when he pointed out letters that incriminated himself, the Major said.

Major Stander said he then had concrete evidence against Mr Koti.

The Major said two of the accused — Mrs E Mbengo, 55, and Mr A Takanane, 43, had complained of assaults by one of his men a Constable Nel. In-

vestigations into Mrs Mbengo's claim were carried out.

Another accused, Mr V Mjila, 18, pretended to be mad during his detention in November. He later went on a hunger strike and was flown to Bloemfontein for treatment after the District Surgeon expressed concern at his condition, Major Stander said.

The major said he did not put the intelligence of one of his men, Const Fikile Jara, on a par with other members of the Security Police.

Const Jara had earlier told the court that if Major Stander were to tell him to shoot a person he might wonder why but he would still shoot.

The other accused are Mr J Mbengo, 63; Mr S Sondlo, 50; Mr G Thomas, 23; Mr B Mfenyana, Mr P Ntloko, 18; Mr Z Windvoel, 20; Mr M Mbilini, 21, and a 17-year-old youth.

The hearing continues today.

POLITICAL comment in this issue by Allister Sparks, Benjamin Pog-rund, John Ryan, Trevor Bisseker and Martin Schneider; newsbills by Chris Day; headlines and sub-editing by Colin Thompson; cartoons by Bob Connolly; all of 171 Main Street, Johannesburg.

25
CHORUS.
mf a tempo primo.
The King of Love my
The King of Love my
The King of Love my
The King of Love my

noth - ing lack if
noth - ing lack if
noth - ing lack if
noth - ing lack if

streams of liv - ing
streams of liv - ing
streams of liv - ing
streams of liv - ing

where the ver - dant
where the ver - dant
where the ver - dant
where the ver - dant

r.d.f. Key Ad. SOPRANO Solo
mf a little slower.

Thou spread'st a Ta -
Thou spread'st a Ta -
Thou spread'st a Ta -
Thou spread'st a Ta -

BASS SOLOS AN

m/TENO

Tho

It

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BASS

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Copyright, 1897, by CALKB SIMPER.

Court hears sing-song evidence

321
16/9/78

Mercury Bureau

PIETERMARITZBURG — There was a musical interlude in the terrorism trial in the Supreme Court here yesterday when an accused and a witness were given permission to sing a song each.

In the trial, seven African men and a woman are facing charges under the Terrorism Act. They have pleaded not guilty to all the charges.

The singing started when Mr. M. Moerane, for the defence, asked a witness, Mr. Clifford Nxumalo, father of one of the accused, if he had whistled a song called *Asikhathali* while he was in Security Police detention.

When Mr. Nxumalo denied that he knew the song, Mr. Justice Kriek granted permission for one of the accused, Miss Sibongile Albertina Kubheka, to sing the song for Mr. Nxumalo.

Mr. Nxumalo still denied that he knew the song, but said he had sung a religious song while in detention called *When I was Bound*. He could not remember the words unless he could sing them, he said.

Mr. Justice Kriek then granted permission for Mr. Nxumalo to sing the song for the court.

Later Mr. Moerane told Mr. Nxumalo that a well-known Sunday-school song was also sung to the tune of *Asikhathali*.

At Mr. Nxumalo's request Miss Kubheka sung the song again, and he then conceded that he knew the tune.

The trial continues on Monday.

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the African Population of the Cape Peninsula

Legal Status, Age and Education of the Sample

Employment of Workers

Level of Skill: Definition and Analysis

Length of Service

ages

Workers' Grievances

the Ineffectiveness of Liaison and Works Committees

Workers' Suggestions for Improving their Work

situation

Attitudes Towards 'Coloured' Workers

Summary and Conclusions on Employment Situation

ral Situation - Outline

General Information

nd Availability

ctors Influencing Size of Land Cultivated

ctors Influencing Proportion of Land Cultivated

ize Harvest

ctors Influencing Maize Yield

tle

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ctors Influencing the Number of Cattle and Sheep

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ts, Pigs and Chickens

ationship between Livestock and Landholding

sistence Income

ruitment and Job Finding of Migrant Labourers

ctors Influencing Recruitment and Job Finding

odic Returns to Rural Areas

2.16 Homeland Economic Situation and Wages

2.17 Remittances to Homelands

2.18 Summary of Rural Situation

3.0 Policy Suggestions for Those in Authority

11 members of Soweto SRC in court today

JOHANNESBURG — Eleven members of the Soweto Students' Representative Council are to appear in the Kempton Park court today charged with sedition or, alternatively, under the Terrorism Act.

Damage during the 1976 Soweto riots has caused losses to the State as claimed in a 1 000 page indictment.

The State claims that, among other things, the 11 called for the SRC to destroy the houses of three police officers.

The State also claims the accused called for the SRC to:

Distribute petrol bombs and demonstrate their manufacture;

Force workers to stay away from work; and

Demonstrate for the release of detainees.

The offences allegedly took place between October 1977.

Most of the accused were detained during a security police swoop in Soweto on June 10 last year. The SRC is a banned organisation.

The trial is likely to be the biggest in the country, since the marathon South African Students' Organisation trial which ended in 1976 after more than a year.

It is alleged the 11 were members of the South African Students' Movement, an organisation which led to the creation of the "action committee" which was later to be known as the SRC.

Among other allegations contained in the document are that the 11:

Established contact with various student

organisations in the country in pursuance to the cause of the SRC;

Called on the SRC to burn the Department of Bantu Education buildings;

Called for a march on John Vorster Square to demand the release of detainees;

Intimidated and forced people to comply with the demands of the SRC; and

Compelled members of the UBC to resign.

The accused are: Mr Wilson Twala, 18, Mr Sechaba Montsisi, 23, Mr Seth Mazibuko, 19, Mr Mafison Morobe, 22, Mr Khotso Lengane, 21, Mrs Susan Mthembu, 22, Mr Thabo Ndabeni, 21, Mr Kennedy Mogami, 19, Mr Reginald Mngomezulu, 21, Mr Michael Khiba, 20, and Mr George Twala 23. — DDC.

have arisen and the limitations that would have been imposed by interviewing workers at their place of work under management's eye, two African men were employed to conduct the interviews in the townships of Langa and Guguletu as well as in the squatter settlements of Crossroads and KTC ("Dutch Location").

An interview schedule, based on a pilot survey completed a few months earlier, was prepared and a stratified sample chosen. The stratification was based on each type of living quarters;² and within each type a certain number of houses, rooms or beds, whichever applicable, was systematically selected.³ Most interviews were conducted in Xhosa and lasted about two hours. There were few refusals and a wide variety of reasons was given for refusing. A systematic method of replacing refusals was also

1. Sheila T. Van der Horst (1964); the field work was carried out over the years 1955 to 1957.

2. The living quarters were divided into the following types:

Guguletu : Residential area (permanent residents only); Barracks (BAD); Employers' Barracks; Section 3 near Klipfontein Road (residential area for migrant labourers only); KTC ("Dutch Location", squatters).

Langa : Residential area (permanent residents only); Old Flats; New Flats; Main Barracks; North Barracks; Zones; Special Bachelor Quarters.

3. Even though systematic sampling was employed this did not introduce a bias into the sampling because the population was not systematically distributed. See C.A. Moser and G. Kalton, Survey Methods in Social Investigation (Heinemann, 1971), p.83.

(Source: Ministry of Health The Village Health Worker in Lesotho: Report of a Workshop held 26-27 March 1977. Maseru, 1977.)

TABULATION EXISTING THREE VHW PROGRAMMES

	<u>OUTLING</u>	<u>SCOTT</u>	<u>TEBELLONG</u>
<u>GOALS</u>	To obtain optimal contact between institutional health & consumer by training VHW's	The improvement of the level of health in the villages in the Scott Hospital region	Getting people involved in their own health care
<u>OBJECTIVES</u>	Assist VHW in identifying: local health needs/problems solving the above After one year VHW's provide simple curative care	To establish community based health service structure by identifying: VHW tasks programme villages team identification Selection of VHW's for training and followup Improvement of: coordination & communication between health agencies	That women chosen by their own people accept certain designated responsibilities in their own villages

Police assault alleged

GRAHAMSTOWN — A man who was brought to the chief magistrate of Queenstown to make a statement, showed him purple stripes on his back where he claimed police assaulted him, the Supreme Court heard here yesterday.

SELF
OF VI
NUMB
VIEW

The Magistrate Mr A. C. van Heerden was giving evidence at the beginning of the fifth week of the trial in which 13 Queenstown people were charged under the Terrorism Act with alternatives of sabotage or conspiracy to commit public violence.

Mr Justice Kahnemeyer is hearing evidence to determine the admissibility of alleged statements by three of the accused. Mr Van Heerden said on November 16 last year one of the accused, Mr Z. Windvogel, 20, was brought to his office by a Major Snyman of the CID.

Mr Windvogel told him

he had been hit with rubber instruments by police after his arrest the previous night.

Mr Van Heerden said he then took the statement and later reported Mr Windvogel's injuries to Major Snyman.

The Head of the Queenstown security police, Ma-

jor M. Stander, had earlier given evidence for the fourth day in succession.

He said two accused, Mr A Takane, 43, and Mrs E Mbengo, 55, had complained of assault by a Constable Nel, but these cases had been withdrawn.

A letter was put before the court in which Mrs

Mbengo said she desired no prosecution against the white policemen but asked that she not be assaulted again.

Other accused are Mr J. Mbengo, 63, Mr S. Sondlo, 50, Mr G. Thomas, 23, Mr B. Mfenyana, 22, Mr A. Koti, Mr V. Mjila, 18, Mr P. Ntloko, 18, Mr E. Ntloko, 23, Mr M. Mbilini, 21, and a seventeen-year-old youth.

The trial continues today. — DDC.

18.

SERVICES RENDERED

Motivation/Promotion

Reporting:

common disease outbreaks
drinking water status
local sanitation efforts
Encouraging use of:

MCH Clinics
Family planning

Contact:

3 families per week
for health education

SCOTT

Motsekua, Matelile
Clinic areas

One week lecture
One week practical

Every 2 months

Group discussions on:
nutrition
hygiene
preventable diseases
health edu. methods
Practical training in:
TB health education

TEBELLONG

Villages surrounding the
hospital

Two days

Approximately every 2
months

Demonstrations On:
immunization
hygiene
nutrition
TB

Motivation/Promotion

Reporting:

infectious disease
outbreaks

Encouraging:

MCH Clinic utilization
pit latrine building
TB patients to continue
drug therapy

(continued on next page)

Motivation/Promotion

Encouraging:

MCH Clinic utilization
Follow up:

chronic coughers
TB defaulters
hygiene

Treatment

scabies and sores
care of aged

In order to enable African workers to lead lives in which they can ultimately

develop their would be of gr of policy chan workers that o Low wages, occ unresolved gri present indust have both been increasing the comes to fixing and the Wage B on the Industr occupationally members. We same negotiat i.e. Africans aspect of gra power would enable

Witnesses to be recalled

GRAHAMSTOWN — Mr

Justice Kannemeyer granted an application by the defence in the Terrorism Act trial in the Supreme Court here yesterday for the recall of two state witnesses.

On trial are 13 Queenstown people who have pleaded not guilty to a charge under the Terrorism Act and alleged natives of sabotage or conspiracy to commit public violence.

Mr Justice Kannemeyer is hearing evidence on the admissibility of alleged statements by three of the accused.

He said there had been "unexpected" mention of a second person present when one of the accused, Mr P. Ndoko, 18, appeared before a magistrate to make a statement.

In view of this, the defence should be given the opportunity of cross-examining the investigating officer in the case, Maj M. Stander, and the policeman who said he took the two men to the magistrate, Maj L. Snyman.

Maj Stander told the court he had asked Maj Snyman to take only one person to the magistrate. The trial continues today. DDC.

and extensive African some suggestions those in authority

African workers. Liaison and works committees

adequate in solving workers' grievances and

dition they play an incongruous role when it

y wages are regulated by Industrial Councils

sion of Africans from direct representation

means that they are discriminated against

s are reserved exclusively for trade union

that African workers should be granted the

to White, 'Coloured' and Asian workers,

to have registered trade unions. The crucial

the union rights is that their bargaining

is with that of other registered unions which

African workers' interests adequately.

We do not think that collective bargaining rights alone would be adequate

in solving African workers' low wages and unskilled occupations. Given

the existence of high African unemployment⁵⁴ we can expect low wages to

result even if they were granted registered unions. The unemployment

appears to be structured rather than just cyclical and the result of the

present recession. This is because African unemployment was very high even

during recent booms in the South African economy and because it has been

rising in absolute numbers and as a proportion of the total labour force

since the Second World War.⁵⁵ It is therefore of immense importance that

the authorities should conduct an intensive investigation to determine what the

structural factors are that are generating the ever growing African unemployment.

54. Estimates of current African unemployment range from about 1 to 1½ million. See J. Knight (1976), Table 15; P.J. van der Merwe (1976), p.55.

55. J. Knight (1976), Table 14 p.37 and p.38.

Taximan's Rm 309/78 terrorism (33) conviction set aside

BLOEMFONTEIN. — The Appeal Court in Bloemfontein yesterday upheld an appeal by Mr Mbube Wavell Mdingi against his conviction and sentence of five years under the Terrorism Act.

The Witwatersrand Supreme Court had found that Mr Mdingi—a Soweto taxi owner—had taken certain people in his car from Soweto to a point a few kilometres short of the Swaziland-South Africa border post at Oshoek.

It had also found that he knew that at least three of his passengers wanted to leave South Africa surreptitiously for Swaziland to undergo military training for later use against South Africa and that he knowingly assisted them to do this by taking them to cross the border under cover of darkness.

In the Appeal Court, Mr Justice Wessels, with Mr Justice Hofmeyr and Mr Justice Trengove concurring, found that the State's evidence was not sufficiently credible and reliable to justify beyond any reasonable doubt a verdict of guilty.

In concluding this, the judge said the court gave due weight to the unsatisfactory nature of the evidence given by Mr Mdingi in his defence.—Sapa

CAPE TIMES 10/10/10

Schoolgirl's bail is reinstated

331

Court Reporter

THE BAIL of a 15-year-old Guguletu schoolgirl, withdrawn at a hearing in the Athlone Magistrate's Court last week, was reinstated at an urgent application in the Supreme Court yesterday.

The Form II girl was arrested with 15 others in Athlone on August 25 on a charge of being an annoyance to other persons by shouting, screaming or making a noise in a public place.

They were all granted bail later that day. The girl was granted bail of R20.

After an uproar in court when they appeared again on October 3, all 16 had bail withdrawn and they were reincarcerated. They were told the next hearing would be at Pollsmoor Prison on October 11.

When Mr H J Dixon, for the girl, requested that the bail be extended or granted, the application was refused by the magistrate, Mr S Knox.

"Well there is no fact before this court on what basis bail should be withdrawn," Mr Dixon said.

Yesterday, Mr I G Farlam, for the girl, said she was appealing against the withdrawal of the existing bail.

He said the appeal was being made on the grounds that Mr Knox erred in law by refusing to grant bail and or withdrawing bail in the absence of an allegation that bail conditions had been breached or that the girl would abscond, interfere with state witnesses, or prejudice the ends of justice in any way.

No evidence by the State

He said there had been no evidence at all by the State in support of its opposition of the application for bail.

The application for reinstatement of bail was not opposed by the State.

Mr Acting Justice King said, in reinstating the bail, that his decision had no effect or relevance to any of her co-accused.

The judge said it appeared from the papers before him that chaos reigned in the court before the bail was withdrawn. He said the conditions were "quite intolerable" and were "a threat to the proper administration of justice and public safety".

The girl told the court in papers that she was to write exams at the end of the month. She said she was "suffering extreme hardship being held in prison and my schooling is suffering".

Mr J J Stabbert appeared for the State. Mr I G Farlam, instructed by Sy-fret, Godlonton and Low, appeared for the girl.

sell more if "people came to ask" more often. At Umthi for example, 2 members said that it was not difficult to sell while they had vegetables rotting in their plots.

5. Some people have managed to get around marketing problems to a certain extent.

5.1 It is interesting that in Abalimi one of the people who says marketing is not a problem is Mr. S. Burgambo who sells R150-R200 worth of vegetables a year. (This is substantially more than anybody else). He puts a great deal of time and effort into marketing. Some vegetables he sells locally, some at the Idolophu market. In the tomato season he organises that he, or a relative, goes into Idolophu by bus to sell there. He has an advantage over other people in Abalimi in that he was the first person to sell vegetables which he has been doing since 1958 when a doctor started sending patients to buy vegetables from him. He has thus built up clientele. (Another thing to consider in looking at Burgambo's great success relative to people from other areas is that Abalimi is on a main through road and that it is a very big location which spreads into others as opposed to the very much more isolated Umthi, Inkomo, and Umlambo.)

5.2 In Ipoti as part of a fund-raising project for a clinic committee a nursing sister organised a vegetable hawking "business". She bought sacks of potatoes and tomatoes in a nearby white town and these were divided into small quantities. A woman was employed to hawk them in the villages within walking distance and in any place where the sister went, with her truck. The sister estimates that using transport to get to out of the way places and with a full-time seller, they were selling R5.00 worth of vegetables a day. (The woman's salary was R1.00 a day).

Some poor women asked the sister to buy pockets of potatoes or onions for them. From one pocket of potatoes and one of onions, a woman could make R1.50-R2.00 profit a week by selling locally.

This scheme was an important motivation in getting people to join the Ipoti garden. Whether they will be able to sell as successfully from the garden depends on whether they will undercut the prices of the imported vegetables sold in the local café and whether they glut the market.

...

4.3.2 LABOUR

1. While it is difficult to determine whether shortage of labour stops people from actually joining communal gardens it seems obvious that the amount of labour available is important in determining the extent to which gardens are used.

2. At Abalimi it is only families where a man is at home and involved in the garden that produce vegetables all year round, and get an income of R100 a year or more. J. Christensen stated

Judge dismisses bail application

CAPE TIMES 14/10/78 391

AN APPLICATION for the reinstatement of bail pending appeal for a man convicted earlier this year on a sabotage charge was dismissed in the Supreme Court yesterday.

The bail was withdrawn last month in the Regional Court after Mziwonke Solomon Jack, 19, of Nyanga East, failed to report daily during the times specified in the conditions of bail.

At the Regional Court hearing, the court was told that Jack reported between 10 and 20 minutes late on six occasions in August. The magistrate, Mr J Vermeulen, withdrew the bail and Jack was imprisoned.

Jack was sentenced in Hermanus in April this year to five years for sabotage. He was granted R1 000 bail pending appeal.

One of the conditions of bail was that he report daily to the Guguletu police station between 7 and 8 in the morning. Another was that he did not leave the Nyanga-Guguletu area without permission.

The application for review of the withdrawal of the bail in the Supreme Court was brought against the magistrate and the Attorney-General.

Yesterday Mr Acting Justice King said the magistrate had arrived at his decision honestly and fairly.

He said he was unable to say that, in exercising his discretion, the magistrate had acted as no reasonable man would have done in the circumstances.

Mr D J van Niekerk appeared for the Attorney-General and the magistrate. Mr McDougall was instructed by Mallinck, Ress, Richman and Company.

a) Those members who use their plots basically as a supplementary source of food and earn less than R10 per year from selling vegetables they produce.

b) Those earning a R100 a year or more (This is a small group at Abalimi).

a) While most of the members said that they had jointed the gardens because they wanted to sell some of their produce (many said half), very few are able to realise this goal. Labour is obviously significant here as

...

State drops charges

Cape Times 17/10/78
(331)

(43)

JOHANNESBURG. — The State yesterday dropped an inquiry in which a Sunday Express reporter, Miss Jennifer Hyman, was required to answer questions which she said would force her to commit a breach of her journalistic code of honour.

Miss Hyman appeared on subpoena in the Magistrate's Court here on October 4 to answer questions relating to an article entitled: "Terror Trial Shock - Lawyers Aren't Told," published in the Sunday Express earlier this year.

The hearing was adjourned till yesterday for the magistrate, Mr J J F Booyens, to decide whether Miss Hyman should be offered indemnity from prosecution.

When the court reconvened Mr M Engelsman, for the State, said he had been instructed by the Attorney-General of Natal to drop the inquiry relating to alleged offences of contempt of court and criminal defamation. — Sapa

es Diploma course, (C) indicates Certificate course, indicates that the Diploma and Certificate figures lumped together.

is clearly a fairly high correlation between the rank- ch category for immediate demand and 1981 demand, despite written in the previous paragraph about the unreliability figures.

This report, the above table indicates, in order of priority, what courses the proposed Technical College at Umlazi should offer. It is important to note that the table should not be interpreted as indicating that the College should offer a course, say, for Chemical Technicians, ranked third, but not one in Chemical Technology (Plastics), ranked 18th. In fact, the syllabi for both at the White Colleges for Advanced Technical Education are very similar, & if the proposed College were to offer a Diploma course for Chemical Technicians, it could also offer the course in Chemical Technology (Plastics) at negligible extra expense in terms of money or time.

The White Colleges for Advanced Technical Education are usually divided into Departments. The College at Umlazi, too, could be divided into Departments or Schools. On the basis of table 40, the most likely Departments would be Mechanical Engineering, Electrical Engineering, Applied Science, and Civil Engineering and Building.

The Department of Mechanical Engineering could offer a course in Mechanical Engineering as its first choice. Then a course in Production Engineering, which consists of much the same subject matter as Mechanical Engineering, could be offered at little further expense to the Department and might ensure that it had enough students to make it viable.

The same argument applies to the Department of Electrical Engineering where students of light and heavy current follow largely the same course. The Department could offer specialised courses such as Industrial Instrumentation, and TV and Electronics, at a later stage of its development should the need arise, as well it might with the present expansion of the electronics industry and plans for opening a TV channel for African viewers.

The Department of Applied Science, or some equivalent, could offer courses primarily for Chemical Technicians. It should be noted that the Diploma for Chemical Technicians appears to be exactly the same as the one in Analytical Chemistry, and to further confuse matters, is also called the Diploma in Chemical Technology by different Colleges for Advanced Tech-

Terror statements made under duress, court told

RAM 17/10/78

(331)

Own Correspondent

PORT ELIZABETH. — Mr Justice Kannemeyer yesterday heard argument on the admissibility of three statements in the Terrorism Act trial which entered its seventh week in the Grahamstown Supreme Court.

On trial are 13 Queenstown people who have pleaded not guilty to the main charge of participating in terrorist activities and to alternative charges

of sabotage and conspiracy to commit public violence.

It is alleged that statements describing the burning of a car made by three of the accused, Mr M Mblini, 21, Mr Z Windvoel, 20, and Mr P Ntloko, 18, were made under duress.

The prosecutor, Mr P Strauss, said three strokes on the back of Mr Windvoel were consistent with being hit with a baton during his arrest, as described by po-

licemen involved in the arrest.

Mr J Poswa, for the 13, who began his argument after lunch, said it was peculiar that all three statements were virtually identical. It was as though they were made by members of a class repeating what had been told to them.

He said he would require the whole of today to continue argument, and that he wished to prove the head of the Queenstown Security Police, Major M Stander, and another security policeman, a Sergeant Rossouw, could never be believed.

The other accused are Mr A Takane, 43, Mr J Mbengo, 63, Mrs E Mbengo, 55, Mr S Sondlo, 50, Mr G Thomas, 23, Mr B Mfenyana, 22, Mr A Koti, 18, Mr V Mjila, 18, Mr E Ntloko, 23, and a 17-year-old youth.

NM 18/10/78
Plastic

used
(33) in car
blast

Mercury Correspondent

JOHANNESBURG — The mysterious explosion that wrecked a young Bethal prosecutor's car last Thursday was caused by plastic explosives of a military origin.

Colonel Stan Schutte, Divisional Criminal Investigating Officer for the Eastern Transvaal, said yesterday that the preliminary results from the police laboratories in Pretoria had shown that explosives were planted on the prosecutor, Mr. Monte Coetzer's car.

Col. Schutte said: "It was definitely not a bomb but explosives. A full report on the tests will be submitted to me at a later stage." No arrests have been made and the investigation is continuing.

He added that he had not established any connection between the explosion and the terrorism trial at the Bethal Circuit Court.

"We do not know at this stage what the motive or reason for the explosion is," Col. Schutte said.

Mr. Coetzer said he was as baffled as the police over the incident.

80 19/10/78
**Judge rejects
open trial plea**

BETHAL — At the PAC terrorism trial in the circuit court here yesterday, Mr Justice D. J. Curlewis rejected a defence application for the proceedings to be opened to the public and the identity of state witnesses to be revealed.

Counsel for the defence, Mr Harry Pitman, had renewed his application made earlier after the state had closed its case against the 18 accused.

He submitted that all the accused had seen the state witnesses, heard their names and had months in which to have

given this information to their visitors.

He said the state witnesses could thus not be totally protected against potential danger. Mr Justice Curlewis totally rejected this argument.

The judge also asked how it would be possible for the defence to lead its evidence properly and the state to conduct an effective cross-examination without referring to the names of state witnesses, if the proceedings were now opened to the public.

Mr Pitman suggested photographs be used. — SAPA.

STAR 20/11/78
Movement
'aimed at
abstinence'

BETHAL — The alleged president of the Young African Christian Movement (YAC) said in the circuit court here yesterday that the organisation was formed to bring youth back to the church and to keep them away from drink.

The state alleges that Mr Michael Matsobane, one of 18 people accused of taking part in terrorist activities, instigated the movement which supported the objectives of the banned PAC and encouraged violence.

Mr Matsobane said the YAC was formed in 1975 after a meeting with ministers of almost all the churches. The YAC wanted to inspire youth to respect old people and to stay away from drink by means of sport and other activities and to engage in social welfare services.

A conference was held on February 22, 1976 at which a constitution was drawn up and about 300 people were registered.

The trial was adjourned until Tuesday next week.
— Sapa.

Court told of group's aims

Do 20/10/78
(33)

BETHAL — The alleged president of the Young African Christians movement said in the Circuit Court here yesterday the organisation was formed to bring young people back to the church and to keep them away from drink.

The State alleges that Mr. Michael Matsobane, one of 18 people accused of taking part in terrorist activities, instigated the movement which supported the objectives of the banned PAC and encouraged violence.

Mr. Matsobane said the YAC was formed in 1975 after a meeting with ministers of almost all the churches. The YAC wanted to inspire young people to respect old people and to stay away from drink by means of sport and other activities and to engage in social welfare services.

In 1976 the organisation's name was changed to the Young African Religious Movement to encourage membership from people of all religious beliefs.

We tried to fight drink, court told

BETHAL. — The alleged president of the Young African Christian Movement said in the Bethal Circuit Court yesterday that the organisation was formed to bring youth back to the church and keep them away from drink.

The State alleges that Mr Michael Matsobane, one of 18 people accused of terrorist activities, helped launch the movement. It is said to have supported the objectives of the banned PAC and encouraged violence.

Mr Matsobane said the YACM was formed in 1975 after a meeting with ministers of almost all the churches. It wanted to en-

courage youth to respect old people and to stay away from drink through sport and other activities.

A constitution was drawn up at a conference held on February 22, 1976. About 300 people were registered as subscription-paying members.

Later Mr Matsobane and other executives visited churches and a high school to recruit members. Before other schools could be visited the June 1976 riots broke out.

Mr Matsobane said that during 1976 the organisation's name was changed to the Young African Religious Movement to attract mem-

bers from people of all religious beliefs.

After the riots, YARM members were approached by a teacher, a former member of the movement, to help calm the students.

Mr Motsabane said that because public meetings were banned after the riots, YARM members had discussions with the chief magistrate of Krugersdorp, who referred them to the district police commandant. He gave the YARM a permit and the movement held a meeting at Mosupatsela High School.

The hearing was adjourned to next Tuesday. — Sapa.

28/10/78 MJ

Former EL policeman on terror charge

GRAHAMSTOWN — Details of an alleged African National Congress plot to infiltrate the South African Police were heard in the Supreme Court here yesterday where a former Duncan Village policeman, Mr Jeffrey Klaas, 22, is charged under the Terrorism Act.

Mr Klaas is alleged to have told a former colleague that black people were oppressed, but if all black policemen stood together, they could overthrow the Government.

He has pleaded not guilty to the main count of participating in terroristic activities and to the alternate charge of being a member of and participating in the activities of an unlawful organisation and defeating or obstructing the course of justice.

Const Editor Mgidlana, now with Transkei Police, told the court that when he was stationed with Mr Klaas in Duncan Village last year, Mr Klaas told him he should join his organisation, the ANC.

Const Mgidlana said Mr Klaas told him that if black policemen identified with the ANC, they could break into police stations' strong rooms to get guns.

White policemen would be shot and killed and they would then attack white people living in towns. They would be able to overthrow the Government.

Const Mgidlana said Mr Klaas showed him at the

police station a book called The African Communist.

"I read parts of the book — it was mostly about terrorism. I asked him where he had got it, but he he just laughed," Const Mgidlana said.

Mr Klaas had told him he joined the police force to get information for his organisation.

"He asked me on two occasions to join the ANC, but I refused," Const Mgidlana said. "I did not report him to my superiors immediately because I wanted to get more information from him before doing so.

"It was obvious that he was dangerous."

The state alleged Mr Klaas became a member of the ANC in 1976 and organised a three-day strike at Dunlop Flooring in East London in May that year.

The State also alleged he joined the police force in 1976 to recruit other policemen for the ANC, to warn political organisations against impending arrests and to hinder such arrests.

It is claimed that after a report to the police about a petrol bomb being made at a house, he went personally to warn the people there.

During an adjournment in yesterday's proceedings, a security policeman photographed members of the public attending the proceedings.

The trial continues today. — DDC

Court frees 6 in terror trial

GRAHAMSTOWN — Six of the 13 people charged under the Terrorism Act in the Supreme Court here were found not guilty and discharged yesterday.

There were emotional scenes as they left the dock, shaking hands with friends and embracing relatives.

The six — Mr A. Takane, 43, Mr J. Mbengo, 63, his wife, Mrs E. Mbengo, 55, Mr S. Sondlo, 50, Mr G. Thomas, 23, and Mr B. Mfenyana, 22 — were freed after an application for the discharge of all 13 by defence advocate Mr J. Poswa.

They were alleged to have been party to an ANC-inspired plot to invade Queenstown, assault whites, attack the police station, overthrow the Government and do away with Bantu education.

They were charged after unrest in Queenstown in September last year.

The application, made on Monday at the begin-

ing of the eighth week of the trial, came after the close of the state case and was opoed by prosecutor Mr P. Strauss.

But he acknowledged the application would have to succeed in respect of Mrs Mbengo and Mr Mfenyana.

Mr Justice Kannemeyer said statements by Mr P. Ntloko, 18, Mr Z. Windvoel, 20, and Mr M. Mbilini, 21, in which they admitted burning a car, had been allowed as evidence in court.

There was also evidence and a letter connecting Mr A. Koti, 18, Mr V. Mjila, 18, Mr E. Ntloko, 23, and a 17-year-old youth with events of an incriminating nature.

He refused the application for all seven youths.

The only evidence against the remaining four, he said, was that of an accomplice who had contradicted himself and was a "most unsatisfactory witness." The trial resumes today. — DDC.

Embraces as six freed in terror trial

Own Correspondent

GRAHAMSTOWN. — There were emotional scenes in the Grahamstown Supreme Court yesterday, as six of the 13 people appearing in a Terrorism Act trial were found not guilty and discharged.

They embraced relatives and shook hands with

friends as they left the dock.

The six are Mr A Takane, 43, Mr J Mbengo, 63, his wife, Mrs E Mbengo, 55, Mr S Sondlo, 50, Mr G Thomas, 23, and Mr B Mfenyana, 22.

They were freed after an application for the discharge of all 13 accused by the defence counsel, Mr J Poswa.

They were alleged to have been party to an ANC-inspired plot to invade Queenstown, assault whites, attack the police station and overthrow the South African Government.

The application for the discharge of the accused, made on Monday at the beginning of the eighth week of the trial, came after the close of the State case and was partly opposed by the prosecutor, Mr P Strauss.

Mr Strauss acknowledged that the application would have to succeed in respect of Mrs Mbengo and Mr Mfenyana.

Ruling on the application, Mr Justice Kannemeyer said statements by Mr P Ntloko, 18, Mr Z Windvoel, 20, and Mr M Mbilini, 21, in which they admitted to burning a car, had been admitted as evidence.

There was also evidence connecting Mr A Koti, 18, Mr V Mjila, 18, Mr E Ntloko, 23, and a 17-year-old youth, with events of an incriminating nature.

He refused the application in respect of all seven of these accused.

The only evidence against the remaining four, he said, was that of an accomplice, who had contradicted himself and was a most unsatisfactory witness.

He found these four and Mrs Mbengo and Mr Mfenyana not guilty of the main charge of participating in conspiracy to commit public violence.

In addition to the main charge and alternative charges, the remaining seven accused face sub-alternatives of intimidation and malicious injury to property.

One of them, Mr Eric Ntloko, yesterday admitted to writing certain anonymous letters.

He told the court he had copied them from an original he had received from persons unknown.

The unknown persons

family and himself if he did not send off copies of the letters to school officials, he said.

"I feared for my life," he said.

Mr Justice Kannemeyer is sitting with two assessors: Mr H Chapman and Mr R Redpath.

The hearing continues today.

Police assault claim denied

26/10/78

331

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not remember what he had written on the document, Mr Matsobane admitted, to the court the document could be an indication he had had an appointment with the witness.

The witness referred to in the document had told the court the Young African Christian Movement, of which Mr Matsobane was president, was no more than a cover for the banned PAC.

The name of the organisation was changed later to the Young African Religious movement to include non-Christians.

Mr Matsobane denied he had said whites used the Bible as a weapon against blacks. He also denied he had said that if the young people had known about this, they would have fought for peace.

Mr Matsobane said he believed in the Bible, although he had converted to Islam.

It was also untrue, as had been alleged by a state witness, that he had associated the YARM with the PAC.

Earlier, Mr Matsobane had alleged that the evidence of the police and a state witness had been the fabrication of the witness.

He had denied he and the witness had had an argument about the failures of the PAC. He had not said the PAC would experience no further failures under the YARM.

The case continues today. — SAPA.

BETHAL — One of the accused in the PAC terrorism trial in the Circuit Court here yesterday claimed he had been assaulted during questioning by four policemen at the Howick police station.

Mr Matsobane also said security police had tried to force him to give certain evidence against a fellow-accused.

Eighteen people are appearing before Mr Justice Curlewis on charges of taking part in terrorist activities.

Mr Matsobane said he was assaulted at Howick by two white and two black policemen. At one stage his hands were tied behind his back to a bench.

The policemen then stood before him and said: "Now we will talk."

Mr Matsobane said the policemen hit him until he fell to the ground and his ear began bleeding. He could not remember whether it was the left or right ear.

The policemen told a doctor who came to treat him he had been assaulted.

He informed a magistrate in Pietermaritzburg about the assaults and asked for protection. He was advised to lay a charge, but because he was still in police hands, he decided it was not the time for such action.

Mr P. G. Haasbroek, SC, for the state, put it to Mr Matsobane that these assaults did not take place.

Mr Matsobane replied: "Oh well . . ."

Mr Haasbroek told the court all previous witnesses who had been questioned by the police with a view to possible prosecution had been asked by the defence whether they had been assaulted. All of them denied this.

In further cross-examination, Mr Matsobane denied he had had contact with a specific witness from July 1976.

Mr Haasbroek handed in a document on which Mr Matsobane had made a note. The name of the witness referred to appeared on the document.

After saying he could

Terror trial told of meeting

331 26/10/78

GRAHAMSTOWN — A former East London policeman charged in the Supreme Court here under the Terrorism Act is alleged to have said he attended a meeting where Mr Donald Woods and Mr Steve Biko were also present.

This was evidence given yesterday by an East London policeman, Const E. Zavla, at the trial of Mr Jeffrey Klaas, 22.

Mr Klaas is alleged to have joined the police in 1976 to recruit other policemen as members of the African National Congress and to warn members of political organisations against possible arrests. Mr Klaas was based at the Duncan Village police station.

He has pleaded not guilty to the main charge of participating in terroristic activities and to alternatives of being a member of or taking part in the acts of an unlawful organisation, or obstructing the course of justice.

Const Zavla, a former colleague of Mr Klaas, said

he reported Mr Klaas to the Security Police after certain conversations.

In one, Mr Klaas had mentioned the meeting attended by Mr Biko and Mr Woods.

Const Zavla said Mr Klaas told him that if the army and members of the police force resigned, there would be freedom. South Africa depended on the police and army.

"I told the accused that I was free right now and there was no other freedom I wanted," the constable said.

Another policeman, const Sitembiso Losi, also of East London, said he had once found Mr Klaas at the police station with a book called the African Communist.

Const Losi said he knew the book was banned and it appeared to be about subversive activities.

Mr Klaas told him the freedom of the black man depended on the black policemen throughout the country.

The trial continues today. — DDC.

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'I had books on revolution'

Staff Reporter

A DETAINEE turned State witness in the trial of 11 former Soweto students said yesterday he had brought books on revolution into South Africa.

The 11 former students are appearing before Mr Justice H van Dyk in the Kempton Park Circuit Court on a main charge of sedition, alternatively charges under the Terrorism Act. They have all

pleaded not guilty.

The witness, who may not be named, admitted under cross-examination by Mr E Wentzel that he had brought books about revolution into the country. He had got the books from a friend he visited at a refugee camp near Gaborone in Botswana.

He said the books, which were not exhibits in court, included "Struggle and Revolution" and "The thoughts of Chairman Mao". He agreed the books could advocate violence. He also admitted being a revolutionary.

The witness said he was shot by police on the premises of his school in Soweto during the unrest and there had been a pellet lodged in his chest for 11 months.

He told the court that he did not ask for medical treatment to have the pellet removed because he feared police would take action against him. The pellet had been removed by a doctor while he was in detention, he said.

Students protested at the Soweto UBC because residents believed UBC members were responsible for increasing rents, the witness said.

The accused are: Mr Wilson Twala, 18; Mr Daniel Montsitsi, 23; Mr Seth Mazibuko, 19; Mr Mafison Morobe, 22; Mr Jefferson Lengane, 21; Miss Suzan Mthembu, 22; Mr Ernest Ndabeni, 19; Mr Kennedy Mogami, 19; Mr Reginald Mngomezulu, 21; Mr Michael Khiba, 20; and Mr George Twala, 23.

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Krugersdorp, Germiston, Pret

Town were established on 30t

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incurred in attending to the

which seems astounding is that

prior to mid-1973 a single divisional labour

inspector presided over no fewer than six of the seven committees in the

Transvaal, Pretoria being the exception. His duties covered African workers

in the magisterial districts of Johannesburg, Heidelberg, Benoni, Boksburg,

Brakpan, Springs, Nigel, Delmas, Vereeniging, Krugersdorp, Roodepoort, Randfontein

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ment of the Labour Dep-

service. African

R3,25 per meeting plus

actual loss of wages

these regional committees

15. Hansard 5 columns 355-60, 7 March 1973.

16. Muriel Horrell and Dudley Horner. A Survey of Race Relations in South Africa, 1973. Johannesburg, S.A.I.R.R., 1974 pp.273-275.

* Official terminology used to describe the indigenous population changed from 'Native' to 'Bantu' in the 'fifties.

State drops charge

Staff Reporter

THE REV DAVID RUSSELL, who was banned last year, was told in the Regional Court, Cape Town, yesterday that a charge against him of producing an undesirable publication had been withdrawn on the instructions of the Attorney-General.

It was the Rev Russell's third appearance in court in connection with the pamphlet "The Riot Police and the Suppression of Truth".

He first appeared in the Wynberg Magistrate's Court on July 7. He was not asked to plead, and the case was postponed until August 28 for trial in the Wynberg Magistrate's Court.

On August 28 the case was again postponed till yesterday.

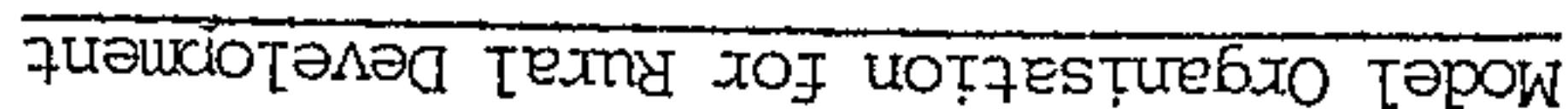
The charge was in terms of Section 8(1)(a) of Act 42 of 1974, the Publications Act. It was alleged that he produced the publication, which was subsequently declared undesirable, in Mowbray and Rondebosch.

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27/10/78
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Page 10

He said the explanation of one of the seven, Mr Ntloko, 23, that he wrote some of the letters because an unknown person threatened harm if he did not, could not be accepted.

Six of the 13 originally accused in the trial were found not guilty and discharged earlier this week after an application for the discharge of all 13 at the close of the state case. — DDC.



24.

State drops charge

Staff Reporter

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Policeman denies ANC recruiting

GRAHAMSTOWN — A former policeman charged under the Terrorism Act yesterday admitted writing a letter in which he said he was arrested when he tried to leave South Africa with two "freedom fighters" from Zambia.

Mr Jeffrey Klaas, 22, who is appearing in the Supreme Court here, claimed, however, this information was false.

It had been written to gain the confidence of the acquaintance in East London to whom he had sent the letter, he said.

"We were arrested as

we were leaving South West Africa, before we reached our destination," read the letter which was handed in by the State.

Mr Klaas is alleged to have joined the police in 1976 to recruit other policemen as members of the African National Congress and to warn political organisations against impending arrests.

He was stationed in East London.

He has pleaded not guilty to the main charge of participation in terrorist activities and alternatives of being a member of or

participating in the activities of an unlawful organisation, and of obstructing the course of justice.

He denied he had tried to recruit any policemen for the ANC. He had tried to recruit them to help in the struggle, but not for any banned organisation. This was a peaceful struggle. He did not believe in violence, he said.

He denied he had been a member of any prohibited organisation.

The trial continues today. — DDC.

The company concept with a tax on the share held by each household could help to avoid the difficulties that may arise in the enforcement of rent collection. This should be so because the tax would be paid equally by every household rather than, as with rents, by a few powerful families. The tax on the shares could be collected immediately after the annual

An annual rental should work to moderate the pressure on grazing. As herd size rises so the rental price should rise, forcing a higher off-take and thus keeping size down. With the advent of drought or a decline in beef prices, owners would be squeezed between the rental price and the market value of their cattle. Off-take should rise quickly. A law which allowed government to introduce bi-annual auctions of grazing rentals might be worth considering for it would allow the price for grazing to keep pace with unfolding weather.

Figure of 50% of the requirement handled would be the proper basis for policy. The preponderant nature of the commercial market, that of speculators rather than cattle raisers, suggests that individuals would resist cattle sales as long as possible. In the process, and particularly on the tribal lands, the bigger owners would be able to further squeeze out the smaller. By holding cattle longer, the bigger owners would exploit the communal or state lands without cost to themselves either directly or by the corruption of traditional ties. The damage to the pasture would be born by society.

Ex-policeman gets jail sentence

25/10/78 (33)

GRAHAMSTOWN — "The police trusted you and you betrayed their trust", the Judge President, Mr Justice Cloete, said yesterday when he convicted a former policeman, Mr Jeffrey Klaas, 22, of being a member of and of participating in the activities of the African National Congress.

Mr Klaas, appearing in the Supreme Court here, pleaded guilty to the charges, but not guilty to the main charge of participating in terrorist activities and to a third alternative charge of

obstructing the course of justice.

He was sentenced to six years' imprisonment of which three years were conditionally suspended for five years.

Mr Justice Cloete said Mr Klaas had sought to bring about political change by infiltrating the police as a member of the ANC.

The State alleged in the indictment that Mr Klaas joined the ANC in 1976 and then joined the police in East London in September of that year. SABA

Students planned two marches to confuse police, court told

BY MIKE LOUW

A JUDGE was told yesterday that Soweto students planned two protest marches to John Vorster Square during the June unrest last year in order to confuse police.

A detainee was giving evidence at the trial of 11 students before Mr Justice Van Dyk in the Kempton Park Circuit Court. They are facing a main charge of sedition, alternatively

charges under the Terrorism Act. They have all pleaded not guilty to the charges.

The witness, who may not be named, told the court that Soweto students planned to make the two protest marches on June 23 last year.

He said it was arranged that one group would start marching to John Vorster Square from Soweto while another would use transport

to the city and march from the vicinity of the Johannesburg City Hall.

He said he took part in the march from Soweto, which was stopped by police near New Canada.

Another detainee said that on June 10 last year he was arrested with seven of the accused: Mr Daniel Sechaba Montsitsi, Mr Reginald Teboho Mngomezulu, Mr Michael Sello Khiba, Mr Edwin Thabo Ndabeni, Mr

Jefferson Khotso Lengane, Mr George Twala and Mr Kennedy Mogami.

The witness identified a document which he said police found in his possession, and said he had written it.

It said the Soweto Students Representative Council pledged solidarity with all students throughout the country. "There was no struggle without casualties. He that stands bold is not easily pushed down. Have courage to confront South Africa's apartheid. United we stand. The struggle continues. Power is ours."

The witness said the document was to have been typed and distributed among students. He said a draft was handed to him by Mr Montsitsi, who was then chairman of the SSRC.

He said the aim of the marches to John Vorster Square was to demand the release of detained students.

He told of events in Soweto on June 16, 1976, and said he saw placards in the township complex saying that Dr Henry Kissinger — visiting South Africa at the time as United States Secretary of State — was not needed in South Africa.

Mr Justice Van Dyk asked the witness why there were objections to Dr Kissinger's presence in the country. He replied that many people were killed during the riots, but Dr Kissinger's visit was not for that reason.

Man strips in court to show assault marks

30/10/78 1331

BETHAL — A witness removed his shirt in court here today to show marks he said had been caused by police assaults.

The witness, who may not be identified, was testifying for the defence of one of 18 accused appearing before Mr Justice D. J. Curlewis on charges under the Terrorism Act and belonging to a subversive or-

ganisation, the Pan African Congress.

Giving evidence on behalf of Mr Mike Matsobane, the witness acknowledged that he had signed a statement produced in court by the State, but said he had at first refused to do so because the contents were incorrect. He had finally signed because he was afraid of the police.

The witness alleged the marks on his back were from electric shocks and beatings by police. He also showed a mark on one of his legs, which he said was caused by police assault. He alleged he had been suspended by his legs from an iron bar between two chairs.

"After this I was crying. They also spoke to my mother to get her to convince me to change my mind and give evidence in court."

(Proceeding)

PAC court told of shocks and beatings

31/10/78
R.D.M. (331)

BETHAL. — A witness removed his shirt in the Bethal Circuit Court yesterday to show marks he said had been caused by police assaults while he was in detention.

The witness, who may not be identified, was testifying

for the defence of one of 18 accused appearing before Mr Justice D J Curlewis on charges under the Terrorism Act and of belonging to a banned organisation, the Pan Africanist Congress.

Giving evidence on behalf of Mr Mike Matsobane, the

witness acknowledged that he had signed a statement produced in court by the State, but said he had at first refused to do so because the contents were incorrect. He had finally signed because he was afraid of the police.

The witness alleged the marks on his back were from electric shocks and beatings by police.

He also showed a mark on one of his legs, which, he said, was caused by police assault. He alleged he had been suspended by his legs from an iron bar between two chairs.

"After this I was crying. They also spoke to my mother to get her to convince me to change my mind and give evidence in court," he said.

He alleged the assaults took place over a three-day period during his detention in July 1977, and that he had also been threatened with being thrown out of the window.

On one occasion he awoke from his sleep feeling something cold against his cheek. When he opened his eyes he saw the cold object was a sword. The person holding it asked: "Can I cut through?"

The man with the sword told him not to mention the incident as it had only been a joke, but he later saw the sword in the office of the colonel to whom he was taken for questioning.

Defence counsel for Mr Matsobane argued the inadmissibility as evidence of the statement.

He cited precedents in which statements by witnesses while detained were deemed to have been made under duress when the detainee was being held until the statement was made.

The hearing continues today. — Sapa.

PAC trial told of assaults

331

31/10/78

BETHAL — A witness removed his shirt in court here yesterday to show marks he said had been caused by police assaults.

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Defence counsel for Mr Matsobane argued the admissibility as evidence of the statement.

The trial continues

SABA

PAC trial told of salt treatment

BETHAL — A detainee who complained of eye trouble was given Epsom salts and told to do more exercise, the Supreme Court heard here yesterday.

Giving evidence in the trial of 18 men accused of terrorist activities and of furthering the aims of the banned Pan Africanist Congress, a witness for the defence yesterday made further allegations of police assault.

The witness, who may not be named, told Mr Justice Curlewis of a time he was held at the Magaliesburg Police Station and had complained to the station commander of trouble with his eyes. He claimed this was the result of being kept standing up and awake for

three days on end.

He was told he was suffering from excessive gall and was told to take more exercise. The police also bought him Epsom salts.

Yesterday morning's session was devoted to argument by Mr F. Ackerman (for the State) and Mr A. S. Pitman, appearing for Mr Michael Matsobane, one of the accused, on a point of law.

Mr Pitman questioned the admissibility of a statement made by the witness while being held under Section Six of the Terrorism Act.

The judge overruled the objection and Mr Ackerman continued his cross-examination.

The trial continues today. — SAPA.

Steel asks Carter for special treatment

(331)
189
2/11/78
R.D.

NEW YORK. — A plea that President Carter recognise the special problems of the US steel industry in enforcing the new price controls proposed in the anti-inflation programme has come from Mr Lewis Foy, president of Bethlehem Steel, the second largest US steel producer.

In a telegram to the President, Mr Foy who is also the head of the industry's principal trade association, pointedly refrained from committing his company to follow the strictly interpreted anti-inflation guidelines.

Instead, he expressed the hope that when the details of the programme unfolded "it will be flexible enough to recognise the special problems of a company such as ours which has low profitability, high capital requirements, heavy environmental expenditures and damage from imports that are being dumped into this country by foreign steel makers."

Mr Foy was also critical of the Administration's plans to

try to enforce the inflation plan through "policies that would tighten Government regulations and relax the enforcement of our import laws." Such moves would only compound inflation-related problems not alleviate them.

Although the steel industry has been reporting a sharp recovery in profits through the second and third quarter of this year, partly on the back of price increases over the past 12 months of 15% to 20%, share analysts, such as Mr Charles Bradford of Merrill Lynch, have suggested that the industry's profits could come under pressure next year if it is forced to follow strictly the new guidelines.

This is because its average price increases in 1976 and 1977, the base for the Administration's policy, were around 8%. Thus its 1979 price increase should not rise about 7½% under the policy. Costs, however, could rise 10% and it is possible that sales volumes might not be

as strong next year as they have been in 1978.

The industry has to be especially concerned about the Government's ability to put pressure on it because under the Treasury's trigger price system designed to control imports, the Administration can influence the flow of imports and the price at which they enter, and thus the pricing levels of the domestic industry.

On the other hand, the industry may well be hoping to make a case for special treatment on the grounds of the high environmental costs it faces and the costs of recent wage settlements.

Separately, Mr William Miller, chairman of the Federal Reserve Board, lent his support to the Administration's programme. He described the programme as "balanced, concerted and sustained."

Mr Miller said that if labour and business supported it, "it gives us running room to eradicate inflation." — Financial Times.

The many forms of political trial

2/11/78
A.D.M.
321

BY PATRICK LAURENCE

THE official South African view that there are no political trials is described as a "naive legal fiction" by Professor John Dugard of the University of the Witwatersrand.

"The main purpose of the political trial is to eliminate or discredit a political opponent according to established rules," Prof Dugard says in his newly published book, "Human Rights and the South African Legal Order".

He gives a list of political trials held in South Africa, starting from the trial by special commission of the

Slagter's Nek rebels and ending with the trials which took place after the uprising of 1976.

Political trials, Prof Dugard continues, take many forms and defy accurate definition for that reason.

"Usually it will take the form of a criminal prosecution of a political opponent of the governing party for a breach of a law designed to ensure the maintenance of the status quo, generally termed a 'security law'."

But, it may take several different forms, including:

- A defamation action designed to destroy the credibility of a political oppo-

nent.

- A prosecution of a political personality for an ordinary political offence in which his "social orthodoxy" is questioned.

Another distinguishing feature of political trials is attempts by either the prosecution or the defence to emphasise its political importance.

Prof Dugard then deals with the question of why governments often prefer to act against political opponents in the courts instead of eliminating them through arbitrary or violent action.

The main reason is that the public at large is more

likely to accept removal of a person from the political arena if it is done according to accepted rules.

In South Africa the difference can be gauged by comparing the different responses of the public to the banning of an opponent under the Internal Security Act to his imprisonment by a court of law, Prof Dugard says.

"While action of the first kind is condemned by the liberal Press, by critics of the Government and sometimes even by supporters of the Government, the imprisonment of a political opponent of the regime by a judge seldom raises a critical eyebrow."

In his list of South African political trials Prof Dugard includes "trials of harassment," "trials of conscience" and "trials of ideas".

He cites as examples: harassment — prosecution of Mr Laurence Gander and Mr Benjamin Poground of the Rand Daily Mail for a series of articles on prison conditions; conscience — prosecution of prominent citizens for refusing to testify before the Schiebusch Commission; idea — prosecution in 1975-76 of leading black consciousness men.

2/11/78 (331) R.D.M.

'I knew from comics arms were dangerous'

Staff Reporter

A YOUNG Soweto man told the Johannesburg Regional Court yesterday that when digging for topsoil in the veld near his home he found a parcel which he hoped would contain money, but discovered it contained

arms and explosives.

"I got a fright when I saw the arms and explosives", Levine Morebudi, 21, told the court. "I have seen in the comics that they were dangerous".

Morebudi appeared before Mr J A van Dam with

Bheki Tshabalala, 18, and Phillip Mosethe, 26, two of his neighbours, charged with the illegally possessing the articles.

Morebudi was found guilty of unlawfully possessing a Tokarev pistol, a quantity of 7,62mm ammunition, two hand grenades and quantity of TNT. He was jailed for four years.

Tshabalala was found guilty of unlawfully possessing the Tokarev pistol and was sentenced to a "moderate whipping" of six strokes with a light cane.

Mosethe was found guilty of unlawfully possessing the ammunition and was jailed for nine months.

All pleaded guilty to the charges on which they were convicted.

Morebudi told the court that on the morning of July 23 he went into the veld to get topsoil for his parents' lawn.

He discovered a parcel while digging for the soil and took it home. He later opened it and found the arms and ammunition.

He buried the gun and ammunition in the garden because he wanted to sell them but took the hand grenade and explosives back to where he had found them and buried them there.

Tshabalala told the court he and Mosethe met Morebudi at a shop that night. They went home with him and he, Mosethe and another man, Mr Ezard Manqupu, retrieved the gun and ammunition. He took the gun and later gave it to Manqupu who took it into the veld and fired a shot.

Warrant Officer D Kuhn of the Soweto Security Police told the court the explosives were a landmine ready to explode as soon as the batteries were connected.

Court told of peace plan

21/11/78 331

THE Soweto Students Representative Council (SSRC) conceived a "peace plan", a State witness told the Kempton Park Circuit Court yesterday.

The plan was based on a summit meeting at which the Prime Minister would have held the chair.

The witness, who may not be identified, was giving evidence at the trial of 11

Soweto youths appearing before Mr Justice H P van Dyk on a main charge of sedition. They have pleaded not guilty.

The witness said all the political parties and black political organisations in South Africa, the United Nations, the Army and the Press would be represented at the planned summit.

"The purpose of the

peace plan was to thrash out all our grievances and to come to an agreement," he said.

"A very idealistic plan," the judge commented.

In cross-examination by the defence the witness said said the clenched-fist salute symbolised "the bringing together of all the people of South Africa".

"We demonstrated to

show the Government and the white people of South Africa how we felt."

Violence and arson were repeatedly condemned by the SSRC, he said.

Detective-Sergeant J de Meyer of the Security Police told the court that on June 10 last year he and other policemen had raided a house in Diepkloof, Soweto, where the 11 accused were arrested.

In the house the police had found books which included "Inside the KGB", "The awakening of the People", "Karl Marx" and "Louis Norval accuses".

"Louis Norval accuses" deals with South American communism.

Pamphlets were also found hidden behind a painting and in the ceiling of the house, Sgt De Meyer said.

The case continues today.
— Sapa.

Only a State witness may not be named

BETHAL. — Mr Justice Curlewis ruled at the Pan Africanist Congress trial in the Bethal Circuit Court yesterday that only State witnesses may not be identified.

He said other witnesses may be identified. The ruling affected Mr Christopher Sompondo who was giving evidence for the defence in the trial of 18 people appearing on charges under the Terrorism Act and of belonging to the PAC. All have pleaded not guilty.

Mr Sompondo said in evidence he had complained to a Colonel Erasmus after being assaulted during the

first three days of his detention in July last year.

But the colonel had treated the matter lightly and had not asked to see his injuries, Mr Sompondo alleged.

On another occasion, when he was visited by a magistrate, the colonel had interrupted Mr Sompondo when he wanted to complain to the magistrate.

Under cross-examination, Mr Sompondo said he had received regular fortnightly visits from magistrates while in detention from July 1977 to August this year. But in September 1977 he was not visited while being held in Rustenburg.

It was put to Mr Sompondo that he was visited by a magistrate in the Rustenburg police cells on September 8 and again on September 21. He denied this.

"If they should say that they would be lying," Mr Sompondo said.

During the first visit he received in the Krugersdorp prison in July, he had complained of the assault to a magistrate, a Mr Morkel, who had only "written" but said nothing, Mr Sompondo said.

The second visit he had received had been in Magaliesburg where the magistrate had told him he was concerned about the treatment he was receiving there.

In earlier evidence Mr Sompondo said he could remember only one occasion on which he had mentioned a demonstration on the manufacture of petrol bombs given by Mr Michael Matsobane, one of the 18 accused.

This had been in a statement made in September 1977. He later said he had signed the statement under duress.

He was handed an earlier statement in which there was also reference to the petrol demonstration. Mr Sompondo admitted this statement was also in his handwriting. — Sapa

Court told of police assaults

BETHAL. — Evidence of police assaults and coercion was given yesterday by a defence witness in the Bethal Circuit Court trial in which 18 men are appearing on charges of terrorism and of belonging to the banned Pan Africanist Congress.

Mr Hilton Makhaphela said he had been assaulted shortly after being detained on October 10, 1977. He had been ordered to stand and left standing from a Friday until the following Wednesday. He had not been allowed to sleep.

His legs had become swollen and he had suffered severe pains in his kidneys. He had complained to a security policeman named Truter and had then been taken to a doctor who had given him tablets and a bottle of medicine.

On the following Saturday he had been told that faking illness would not help him and he had been taken from

his cell, put in leg irons and assaulted by two policemen — first in a lift and subsequently in an office.

Mr Makhaphela said that during his detention from October 10, 1977 to January 12 this year, he had made hand-written statements, but yesterday alleged they had been made under duress and only minor portions of them were truthful.

He denied that he had not taken opportunity of visits by magistrates to complain of the alleged assaults. He declared that at first he had complained, but stopped because nothing was done.

Counsel for the defence asked Mr Makhaphela whether he had at any stage been asked to sign any of three statements before the court. Mr Makhaphela said he had been asked to sign the last of the statements but had refused to do so because he had known it was not entirely true. — Sapa.

RSM 7/11/78

Bulk buying not a front — witness

(331)

BETHAL. — A bulk buying scheme in the Kagiso township, near Krugersdorp, had functioned well until the chairman misappropriated its funds, a defence witness told the Supreme Court in the terrorism trial in Bethal yesterday.

Eighteen men are appearing before Mr Justice D J Curlewis on charges under the Terrorism Act and of belonging to the banned Pan-Africanist Congress.

Mr Christopher Seboka, 34, of Kagiso, told the court he met Mr Zephania Mothopeng, 65, of Soweto — the first accused cited in the charge sheet — at a meeting in Kagiso in 1975.

Mr Mothopeng informed the meeting, held in a school, of courses being offered in the township. These included silk-screening, candle-making, art and sewing.

He invited those present to join the courses. But most of the people present were in full employment, and difficulties thus arose

as to when and where they could attend the courses.

During discussion of these difficulties, it was suggested that some way should be found to keep those intent on participating together until a compromise could be reached.

Bulk buying of vegetables for the benefit of Kagiso residents was suggested, and a committee was formed to implement the suggestion.

The bulk buying scheme had functioned well until it was discovered that the chairman of the committee had misappropriated funds.

At no time had politics been discussed at meetings of the bulk buying committee, said Mr Seboka.

The State has alleged that the bulk buying scheme, sewing courses and literary projects were used by some of the accused as covers for the re-activation of the PAC.

The trial continues today.

Sapa.

FILED

Terror trial told of SRC row

Star 7/11/75
331

BETHAL — Lack of involvement in township rioting led to dissatisfaction with a Students' Representative Council, a witness for the defence told the Supreme Court at Bethal today.

Giving evidence at a trial in which 18 men are appearing before Mr D J Curlewis on charges under the Terrorism Act, Mr Thabo Jonas (20) of Kagi-so said he had taken an active part in founding a new SRC after dissatisfaction among students with a SRC headed by Mr Themba Hlatswayo (21) one of the accused.

There had been allegations among students that the old SRC and Mr Hlatswayo had been collabo-

rating with the police, Mr Jonas said.

The witness said he had taken no part in rioting which had started in Kagi-so in June 1967, but had been active in riots which started in the township on November 1 of the same year.

Under cross-examination Mr Jonas said he did not know when the November riots ended because he had been in police detention at the time.

He had been arrested in Mafeking while "running away from the police." He was on his way to Botswana.

Mr Jonas said he had been held under Section six of the Terrorism Act.

He denied that he had attempted to get to Botswana in order to undergo military training. — Sapa

(Proceeding)

RAM 8/11/75

I wasn't there -PAC accused

331

BETHAL. — An accused in the Bethal Circuit Court yesterday denied allegations made by a State witness.

Mr Johnson Nyathi, 32, of Kagiso, is one of 18 men appearing before Mr Justice Curlewis, charged under the Terrorism Act and of being members of the banned Pan Africanist Congress.

Mr Nyathi said he had never been present at any meeting in the house of a State witness when it was said by one of the other accused, Mr Michael Matsobane, that a religious movement was a front for the PAC. He also denied he had been present at any meeting where Mr Matsobane had said the church was a nice cover for their activities.

In his evidence Mr Nyathi described how the movement came into being.

At a meeting in Kagiso on December 14, 1975, a committee had been formed with instructions to draw up a constitution for a youth movement. The name, Young Africa Christian Movement, was given to the organisation.

Later it was decided to change the name of the organisation to the Young Africa Religious Movement. To his knowledge, YARM had never had any ties with the PAC, Mr Nyathi said.

The State charges that YACM and its successor, YARM, were being used as front organisations for the PAC. — Sapa.

Locke for trial

MR ARTHUR Darcey "Bobby" Locke, who is to face a charge of attempted murder, appeared before a Johannesburg Regional magistrate yesterday.

The charge follows a shooting incident. Mr Locke, 61, was warned to appear on December 13 for trial. — Sapa.

I didn't jump, I was thrown says accused

Star

2/11/74

(33)

BETHAL — An allegation of having been thrown from a fourth floor window was made by an accused in the terrorist trial in the Supreme Court here today.

Mr. Johnson Nyathi (32), of Kagiso, one of 18 men appearing before Mr. Justice D. J. Curlewis on charges under the Terrorism Act and of being members of the banned Pan Africanist Congress, said when he had fallen from a fourth floor window while in detention it had not been a suicide attempt. He had been thrown from the window by security policemen after prolong- ed assaults.

Under cross-examination by Mr. P. G. Haasbroek, Deputy Attorney-General of the Transvaal, Mr. Nyathi described protracted assaults by white and black policemen in which he had been beaten with the fist, kicked, butted with the point of a broomstick, threatened with a firearm and made to stand without sleep or food for long periods.

When he had been thrown out of the window, it had come after more as- saults in an office where three white policemen were present. He had lost his balance and two of the policemen had then thrown him from the window.

Mr. Nyathi denied, he had at any time been told by a co-accused, Mr. Michael Matsobane (36), also of Kagiso, to commit suicide, rather than give information to the police.

— Sapa.

KAM 10/11/78 (33)

Thrown four floors, says PAC trialist

BETHAL. — A terror trial accused told the Bethal Circuit Court yesterday he had been thrown from a fourth-floor window by security policemen after prolonged assaults.

Mr Johnson Nyathi, 32, of Kagiso, one of 18 men appearing before Mr Justice D J Curlewis on charges under the Terrorism Act and of being members of the banned Pan Africanist Con-

gress, said when he had fallen from the window while in detention it had not been a suicide attempt.

Cross-examined by Mr P G Haasbroek, deputy Attorney-General of the Transvaal, Mr Nyathi described protracted assaults by white and black policemen in which he had been punched, kicked, butted with the point of a broomstick, threatened with a firearm and made to stand

without sleep or food for long periods.

When he had been thrown out of the window it had come after more assaults in an office where three white policemen were present.

He had lost his balance and two of the policemen had then thrown him from the window.

Mr Nyathi denied he had at any time been told by a co-accused, Mr Michael Matsobane, 36, also of Kagiso, to commit suicide rather than give information to the police.

Under earlier cross-examination, Mr Nyathi admitted that he, Mr Matsobane and other members of an organisation known as the Young African Religious Movement (Yarm) had previously been members of the PAC, but denied a link between the two.

Mr Nyathi also denied that the Urban Bantu Council had been known as the 'Useless Boys Club' among members of Yarm.

The State alleges that Yarm was used as a front organisation for the PAC.

The trial was adjourned to Monday. — Sapa.

Singing accused warned

PIETERMARITZBURG — Eight men appearing in a terrorism trial at the Supreme Court here were yesterday warned by the judge that he would consider holding the trial in their absence if they persisted in singing while being brought from the cells to the court room.

Mr Justice J. J. Kriek said the conduct of the accused was "highly contemptuous."

He would regard it as contempt of court if they continued to sing on their way to court from the

cells.

Mr Justice Kriek told the men's advocates, Mr M. Moerane and Mr P. Langa: "Despite my request to you this morning before this court assembled that they should desist from singing, they have again sung all the way from the cells to the entrance to the court, and they stood outside apparently until they had finished their song."

Shortly after the trial started in September, Mr Justice Kriek ordered that the accused enter and

leave the courtroom in his presence. His announcement followed an incident on September 5 when blows were exchanged between the accused and security police and uniformed police in the courtroom after the judge had adjourned the case for the day.

Mr Moerane and Mr Langa told the judge their clients were not prepared to give an undertaking that they would desist from singing. Mr Justice Kriek will deal with the matter on Thursday. SAPA.

SP men assaulted me, witness tells PAC court

BETHAL. -- An allegation of assault by Security policemen was made by a defence witness in the terrorism trial in the Bethal Supreme Court yesterday.

Mr Sibho Mthuzulu, 31, of Kagiso, told Mr Justice D J Curlewis he had been assaulted by two policemen while in detention during August last year. Fear of further assaults had led him to make a statement to the police.

Eighteen men are appearing on charges of belonging

to the banned Pan-Africanist Congress and under the Terrorism Act.

Mr Mthuzulu, a former secretary of the Kagiso Bushbuck's Football Club, said he had also been influenced by other statements shown to him prior to and in

the course of writing his own statement.

Under cross-examination by Mr M F Ackerman for the State, Mr Mthuzulu withdrew various paragraphs of his statement and also said he had never complained of the assaults to

magistrates who visited him.

He had on one occasion complained to a magistrate about the food he was receiving. He decided not to complain about the assaults because nothing was done about the food.

During earlier cross-examination, Mr Mthuzulu admitted he had been an executive member of the Young Africa Christian Movement, which the State charges was used as a front for the PAC.

He admitted that most of the members of the YACM were students, but said no attempt had been made to call a meeting of all the members to find ways of stopping the riots.

The hearing continues today. — Sapa.

Accused trained to kill informers claim

331
14/11/78 NMM

Mercury Bureau

PIETERMARITZBURG — An accused in the terrorism trial had received training in fighting with weapons in Swaziland so that he could shoot informers, the Supreme Court was told yesterday.

Mr. Erick Nxumalo (18), cousin of the accused, Mr. Timothy Muntu Nxumalo (21), said he was shocked when his cousin gave him this "dangerous information."

The witness told Mr. Justice Kriek he returned to his Umlazi home from work on April 2 this year to find the accused there.

The accused had disappeared several months before.

Mr. Erick Nxumalo said the accused told him he had been in a Swaziland training school learning how to fight with weapons.

He had a gun with which he "shoots informers."

The witness said his cousin showed him a handgun and ammunition.

The following Sunday the accused left for Chesterville after saying he was going to "look for informers."

Mr. Erick Nxumalo said his cousin returned that night and told him he had shot an informer in the arm and did not know whether the person would survive.

The hearing will resume today.

Witness tells of police assault

14/11/76
321

...shows women's

BETHAL — An allegation of assault by security policemen was made by another defence witness in the terrorism trial in the Supreme Court here yesterday.

Mr Sipho Mthuzula, 31, of Kagiso, told Mr Justice Curlewis he had been assaulted by two policemen while in detention in August last year. Fear of further assaults had led him to make a statement to the police.

Eighteen men are appearing on charges of belonging to the banned Pan Africanist Congress and under the Terrorism Act.

Mr Mthuzula said he had also been influenced by other statements shown to him prior to and in the course of writing his own statement.

Under cross-examination by Mr M. F. Ackerman (for the State), Mr

Mthuzula rebutted various paragraphs of his statement and also said he had never complained of the assaults to magistrates who visited him while he was in detention.

In earlier cross-examination, Mr Mthuzula admitted he had been an executive member of the Young African Christian Movement, which the State charges was used as a front for the PAC.

The executive committee of the YACM had continued to hold meetings during the riots in Kagiso in June and July 1976, he said.

He admitted that most of the members of the YACM were students, but said no attempt had been made to call a meeting of all the members in order to find ways and means of stopping the riots.

The trial continues today. — SAPA.

equally, simultaneously, by the century have women, by the no cognisance of the history liberation is not achieve The mock-warning that "in reinforce each other. profound understanding of on the other substituting psycho-sexual forms of op essentially exploitation as discrimination and work contradictions that exist of their oppression in dete The cultural conditions of peasant women, which played of this is the "speaking bl consciousness there can be awareness from the personal private problems and that fact that "women's problems tedious catalogue of fundame raising" as an involvement position in any women's Move the most erroneous of which By a process of flawed illogical reasoning several false conclusions are deduced, its policies accordingly. the U.C.T. Women's Movement into an homogeneous radical-feminist group and attack organization of the movement. This article is a misinformed attempt to stereotype only one of the numerous positions held by U.C.T. women within the 'umbrella' (not to be confused with Marxist, Socialist, Liberal or Lesbian feminism) which is a basic feminist tenet to attack one particular feminist stance — radical feminism importance (it at all) the writer fails to realise that he/she moves from stating that "the contradictions that exist between social classes then assumes secondary between men and women" (which contradiction is never examined in detail) and saying in correlating such diverse statements as the "fundamental contradiction that exists in no way excludes the awareness of other oppressed groups. Separatism projected "integrated struggle for liberation of all men and women" is mere undeniably bourgeois establishment as a white university. To theorize around the refers to as "adequate political practice" from within the context of such an position of women in South Africa" and developing what the writer idealistically "examining the institutions that continually produce and reproduce the structural that members of the Movement are perhaps more aware of the discrepancy between currently in progress women's Movement members. A notable difference being the writer of this article has no direct knowledge of discussions and projects not been explored, even theoretically, by the U.C.T. Women's Movement indicates that as the "pass-laws, the reserves, squatter-camps and the role of women in these" have the women's position within the structures of society". To assume that factors such obvious, "A women's Movement is a political movement", "it must, therefore, identify The description of what a women's Movement should be confined to stating the illogicalities, misconceptions and muddled thinking that appear in their article.

As a group of U.C.T. Feminists we are appalled by the naivety of the S.S.D. editors' in including the pretentious study entitled "A Critique of Bourgeois Feminism" in their latest newsletter. We would like to point out some of the combined illogicalities, misconceptions and muddled thinking that appear in their article. The description of what a women's Movement should be confined to stating the obvious, "A women's Movement is a political movement", "it must, therefore, identify the women's position within the structures of society". To assume that factors such as the "pass-laws, the reserves, squatter-camps and the role of women in these" have not been explored, even theoretically, by the U.C.T. Women's Movement indicates that the writer of this article has no direct knowledge of discussions and projects currently in progress among women's Movement members. A notable difference being that members of the Movement are perhaps more aware of the discrepancy between "examining the institutions that continually produce and reproduce the structural position of women in South Africa" and developing what the writer idealistically refers to as "adequate political practice" from within the context of such an undeniably bourgeois establishment as a white university. To theorize around the projected "integrated struggle for liberation of all men and women" is mere utopianism, organisation must concern itself with specific oppression. Separatism in no way excludes the awareness of other oppressed groups. In correlating such diverse statements as the "fundamental contradiction that exists between men and women" (which contradiction is never examined in detail) and saying that "the contradictions that exist between social classes then assumes secondary importance (it at all) the writer fails to realise that he/she moves from stating a basic feminist tenet to attack one particular feminist stance — radical feminism (not to be confused with Marxist, Socialist, Liberal or Lesbian feminism) which is only one of the numerous positions held by U.C.T. women within the 'umbrella' organization of the movement. This article is a misinformed attempt to stereotype the U.C.T. Women's Movement into an homogeneous radical-feminist group and attack its policies accordingly. By a process of flawed illogical reasoning several false conclusions are deduced, the most erroneous of which concerns "consciousness-raising". No feminist

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GENERAL NEWS

The eleventh rule . . .

BETHAL. — An eleventh commandment, "Thou shalt not collaborate with the oppressor", was mentioned at a meeting held in Kagiso township, near Krugersdorp, a witness said during the PAC trial yesterday.

Mr Lawrence Ntlokoa, 21, of Kagiso, was giving evidence at the trial of 18 men charged under the Terrorism Act and with being members of the banned Pan-Africanist Congress.

Mr Ntlokoa told Mr Justice D J Curlewis, in the Bethal Circuit Court, a meeting had been held in August 1976 to elect a new Kagiso Students Representative Council.

After the June 1976 Kagiso riots, students had become disgruntled with the existing SRC.

The students felt the old SRC negotiations with police for 87 arrested students was a form of collaboration.

They were also dissatisfied because the old SRC had failed to cooperate with the Soweto SRC.

of technicians.

The influence of the po account. In a speech then Minister of Bantu must be employed in the manner and must not be order to meet shortages to integration in reside authority in Parliament

Three of the accused Mr Themba Hlatwayo, 21, Mr Mothlalegi Thlale, 22, and Mr Rodney Tsoletsane, 20, were members of the old SRC, according to earlier evidence.

The three had had nothing to do with the new SRC, Mr Ntlokoa said.

Mr Ntlokoa said he had been detained under Section Six last year and again this year — for about four months on each occasion — and then under Section 10 until Saturday. He was now restricted to the Krugersdorp magisterial district, he said.

While in detention he had been able to communicate with other detainees by writing on the walls of the Krugersdorp jail bathroom with a piece of soap.

Later they had found the cartridge of a pen with which they wrote messages on toilet paper.

The cartridge and message were then hidden under the bath and a soap note on the bath-room wall indicated where the message could be found.

The witness said he had attended a meeting in March or April 1976 at which Mr Mike Matsobane, 36, had introduced the Young Africa Christian Movement to students.

He had seen some students go forward to join the YACM. They had given their names to Mr Hlatwayo and Mr Thlale. He said he had not been interested in joining. He had also never heard of a link between the YACM and the PAC.

Another defence witness, Mr Churchill Luvuno, 22, of Kagiso, told the court the students had become dissatisfied with the old SRC.

They were dissatisfied because the old SRC had wanted them to return to classes, while they wanted to continue a boycott.

The hearing continues today. — Sapa.

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Human Sciences

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TOTALITARIANISM — POL. TRIALS

15 Nov. 78 — 28 Dec. 78.

Terror witness tells of arms training

R.D.M.
15/11/78
(331)

Own Correspondent

MARITZBURG. — After being trained in the use of explosives and firearms in Zambia and Mozambique, two men were told they should return to South Africa to blow up bridges, factories and Security Police buildings, the Maritzburg Supreme Court was told yesterday.

Mr Samuel Makhanya was giving evidence at the trial of Mzilikazi Godfrey Khumalo, 28, who faces three charges under the Terrorism Act, one of conspiracy to murder and another of conspiracy to commit damage to property.

Mr Makhanya, who will continue to give evidence today, was warned as an accomplice when he entered the witness box.

He said Mr Khumalo had

recruited him for military training. They crossed illegally from South Africa into Swaziland and then climbed the border fence into Mozambique, where they made contact with the ANC. For two weeks they attended political meetings and were given physical training.

At the end of October last year they were flown to Zambia. In a camp there run by Zapu, the Rhodesian guerrilla organisation, they were trained in the use of communist AK 47 rifles, light machineguns and explosives.

They were also taught to use a compass and were instructed in South African Security Police methods.

In January they returned to Maputo where they were given further training in the use of firearms and explo-

sives. They were also shown Sam missiles.

"We were shown how to plant explosives and were told that when we went back to South Africa we should blow bridges, large firms and Security Police buildings."

Mr Makhanya said that he and Mr Khumalo returned to South Africa in late January. In February they travelled to Newcastle together.

"Khumalo asked me how many SB's (security policemen) I would shoot.

"He told me he would shoot the security policeman who was responsible for the death of Joseph Mdluli, the ANC man."

Mr J N M Poswa, for Mr Khumalo, said at the start of yesterday's hearing that Mr Khumalo denied all the allegations against him.

Witness tells of questions about killing

Mercury Bureau

PIETERMARITZBURG — A witness in the Supreme Court here yesterday told how police had questioned him about the death of a Black security policeman who was shot in Durban last year.

He has pleaded not guilty to all charges.

The hearing continues today.

Mr. Samuel Makhanya, who on Tuesday described how he and a friend, Mr. Mzilikazi Godfrey Khumalo (28), had been trained as terrorists in Zambia and Mozambique, said he had been questioned briefly by a detective about the death of Constable Leonard Nkosi last year.

He had, however, not known much about the death of the constable, he told the Court.

Under cross-examination by Mr. J. N. M. Poswa, for Khumalo, Mr. Makhanya said he and Khumalo had agreed to keep quiet about each other if either one of them were arrested.

But he had told the security police all he knew after his arrest as he had been told that Khumalo had tipped police off about their activities.

Khumalo (28) faces three charges under the Terrorism Act, one of conspiracy to commit murder and another of conspiracy to commit malicious injury to property.

Magistrate warns attorney

EAST LONDON — A Regional Court magistrate yesterday warned a Durban attorney his cross-examination was bordering on contempt of court.

The attorney, Mr G. M. Mxenge, had told a 16-year-old youth giving evidence for the State that he need not fear as he would not be assaulted by the court.

The magistrate, Mr B. P. Loots, said: "You must not tell the witness he will not be assaulted by the court. I take exception to that. You are coming close to contempt."

"I have never heard any attorney or advocate suggest that."

Mr Mxenge also asked the court to put on record that the same witness took time before replying to questions put to him.

Mr. Loots told Mr Mxenge he did not have to tell the court what was happening.

"I have been on the bench for many years and can assure you that I will observe everything happening in my court."

You could use that during argument of the case."

The hearing involves two 16-year-old youths, a 17-year-old youth and Mr Andile Sulo, 18, of King William's Town, who are appearing on a charge of arson.

The State alleges they set fire to the Charles Morgan Higher Primary School in Ginsberg Location on September 13.

They are also charged with threatening or suggesting the use of violence to pupils to dissuade them from attending school.

They all pleaded not guilty to both counts.

The principal, Miss N. E. Ntikanca, told the court the school was locked and secured at 2 pm on September 13.

At 6.45 am the next day she returned to discover that a classroom had been set alight.

A manager with the East Cape Administration Board, Mr J. H. Coetzee, said damage amounted to

R1 000. W/O H. P. Beling of the King William's Town Security Police, told the court that he approached the 16-year-old youth who is the first accused.

The youth elected to make a statement to him freely and voluntarily.

The youth was questioned by the court and denied making the statement voluntarily.

He said W/O Beling guided him as to what to say and he did so because he wanted to be released.

W/O Beling admitted the youth denied knowledge of the burning of the school. He then read the statement which he alleged the youth made to him.

In the statement the youth allegedly said he had gone to school in Mid-September and saw all the boys sitting around the school toilets.

He joined them and Mr Sulo told them they should not go to school, but instead mourn the death of Mr Steve Biko.

When the bell rang he

went to his class, placed his books on a bench and returned to the other youths because he was afraid of being assaulted.

He said they sang songs and were later joined by the girls. The teachers did not stop them. When a policeman arrived they fled to their homes.

The youth said he accompanied the 17-year-old youth to a spot where Mr Sulo told them they should burn the school.

They told him they would think it over. He then went to the golf course where he was a caddy and that night slept at his uncle's place, the youth allegedly said in the statement.

He did not want to become involved and heard the next day from another youth the school had been burnt.

W/O Beling described various places the youth had taken him to saying he had slept there but all the occupiers denied it.

He then detained the youth.

The hearing continues.
— DDR

Chemicals etc.,	35		26
Mineral products etc.,	36	4	24
Basic metal etc.,	37	1	19
Fabricated metal etc.,	38	17	120
Other manufacturing	39	2	5
TOTAL		126	280

Source: Bureau of Market Research, University of South Africa.

Note: See note to Table 19 for full headings of manufacturing divisions.

What is striking is the relative concentration of establishments in Division 32 (textile, wearing apparel and leather industries) and 35 (manufacture of chemicals, and chemical, petroleum, coal rubber and plastic products) in the Durban area, and the large proportion of manufacturing on the Witwatersrand that consists of Division 38 (manufacture of fabricated metal products, machinery and equipment). Since different industries employ different proportions of technicians, this helps shed some light on any regional differences in the employment of technicians.

Witness held after leaving PAC trial

RAM
16/11/78
(331)

BETHAL. — A defence witness in the PAC terror trial was arrested yesterday when he left the Bethal Circuit Court after giving evidence at the trial.

Mr Lawrence Ntlokoa, 21, of Kagiso, near Krugersdorp, denied the entire contents of a sworn statement handed in as an exhibit and also denied he had taken the oath before signing it.

He was giving evidence at the trial of 18 men charged with offences under the Terrorism Act and with furthering the aims of the banned Pan-Africanist Congress.

Several defence witnesses have denied portions of statements made to police while in detention, alleging they had said certain things under threat of assault. But Mr Ntlokoa was the first of them to deny a statement in its entirety and without alleging threats against his person.

Under cross-examination yesterday he said the state-

ment had been manufactured by the police from statements made by other people incriminating him.

Earlier, Mr Ntlokoa told Mr Justice Curlewis that stoning buses and trying to set them alight did not constitute acts of violence. He said that to his mind acts of violence involved attacks on people, not property.

Mr Ntlokoa, who described himself as a devout Christian, admitted under cross-examination by Mr M F Ackerman, for the State, that in September 1976 he took part in the stoning of two buses in the Kagiso black township. He tried to set one of the buses alight but did not succeed.

His intention in setting the bus alight had been to block the road and prevent people from getting to work the next day, which he said had been proclaimed a "stayaway day".

The aim in keeping people from their jobs had been to disrupt the country's

economy, he said. "It was not intended to overthrow the government but only to bring an end to unjust laws".

Mr Ntlokoa said the students of Kagiso had not wanted bloodshed. They wanted to cripple the economy, and this could be attained by merely sitting at home and thus showing they wanted real change.

Asked how he could reconcile the rioting with his Christianity, he said the bases of Christianity were justice, truth and love. He took part in the riot because he was convinced that Christ was concerned with the plight of the black people.

In answer to a question from Mr Ackerman, the witness said that as a Christian he would first attempt peaceful means of achieving liberation of the black man. But if this did not work he would resort to violence.

The trial continues. — Sapa.

Police showed skull with hat court told

EAST LONDON — Security police showed a youth a human skull wearing a black hat and told him he would be made to look like that, the Regional Court heard yesterday.

The youth, aged 13, was giving evidence at a hearing in which two 16-year-olds, a 17-year-old and Mr Andile Sulo, 18, appeared on a charge of arson.

They are alleged to have set fire to the Charles Morgan Higher Primary School in King William's Town's Ginsberg Location on September 13.

They are also charged with threatening pupils with violence to dissuade them from attending school.

The 13-year-old told the court Mr Sulo had asked

him why he and his colleagues attended school when the children of the Forbes Grant school did not.

He said Mr Sulo had also told him there would come a day when he would turn them away from school with knobkerries.

Under cross-examination by Mr G. M. Mxenge, for Mr Sulo, the youth said he and two others were shown a human skull at the security police offices. A black hat was on the skull.

"We were then told we would be assaulted to look like the skull."

The police slapped them and then hit them with a stick.

Later, the youth said, he was made to stand with bent knees and arms

stretched forward.

"I would not have said what I said in my statement, but I did so because I was threatened with assault and made to stand with my knees bent and my arms stretched forward."

Under further cross-examination, the youth said the investigating officer, W/O H. Beling, told him outside the court at lunch time yesterday that he was an eloquent speaker. He said W/O Beling gave him 20c.

He denied talking to anybody else about the case.

After the close of the State case, Mr Mxenge said the parents of the youths whom he had not been defending had asked

him to apply for their sons' discharge.

The prosecutor, Mr C. Klackers, asked the court to ask the parents if this was so. Before the case, they had asked who had given the defence attorney permission to talk to their children, he said.

When questioned by the magistrate, Mr B. Loots, the parents of the three youths denied having instructed Mr Mxenge to appear for their children.

Mr Klackers asked the court to record that he had been told Mr Mxenge had schooled the youths.

Mr Loots asked Mr Klackers to bring this to the Side Bar's attention.

The hearing continues.
— DDR.

Defence witness admits telling lies in evidence

331
11/1/78

BETHEL — A defence witness yesterday admitted to Mr Justice Curlewis that he had lied under oath on Wednesday while giving evidence in the terrorism trial in the Supreme Court here.

Mr Justice Curlewis yesterday employed his prerogative in recalling Mr Churchill Luvuno to the witness box after the witness had completed his evidence in the trial in which 18 men are being charged under the

Terrorism Act and being members of the banned Pan Africanist Congress.

After being questioned by the judge, Mr Luvuno admitted he had lied to the court the previous day and asked to be forgiven. Mr Justice Curlewis said he would not have his court abused in this manner as the witness would learn to his sorrow in due course.

Yesterday the judge questioned Mr Luvuno on

the correctness of his statement. In the first paragraph Mr Luvuno described where he was born, who his parents were, what his address was and where he worked.

In reply to a question by the court he admitted this paragraph contained only the truth and the information had been gleaned from him and not from other statements.

The trial continues. — SAPA.

I would kill if paid, witness tells court

Own Correspondent

MARITZBURG. — A man giving evidence at a terror trial in Maritzburg yesterday admitted he would kill people if he was paid to do it.

Mr Samuel Makhanye, giving evidence against Mr Mzilikaze Godfrey Khumalo, 28, admitted, while under cross-examination, that he would kill if he was paid well enough.

He denied, however, that he would give false testimony in court if he was bribed to do so.

"I do not like it," he said when telling Mr J Poswa,

for the defence, why he would not lie under oath.

Mr Makhanye, who was undergoing his second day of cross-examination by the defence, had earlier told the court that he and Mr Khumalo had undergone terrorist training in Mozambique and Zambia.

Mr Khumalo, who has denied ever leaving South Africa for military training, is facing three counts under the Terrorism Act, one count of conspiring to attempt murder and one count of conspiring to commit malicious damage to property.

The trial continues today.

Writer questioned on shooting report

Own Correspondent

PORT ELIZABETH. — Mr Monq Badela, a reporter on the Evening Post, said yesterday that he was surprised when police interviewed him about a report about Mr Michael Heshu, 28, who was allegedly shot by police last year.

Mr Badela was giving evidence at the inquest on Mr Heshu and Andrew Khomo, 16, who were shot near the Molefe Higher Primary School on December 27.

Mr Badela said he went to the home of a Miss Liziswe Ndzimase after a Mr Whitey, a photographer, had told him that she had been with Mr Heshu when he was shot.

Under cross-examination, Mr Badela said his newspaper considered publication

of reports of people shot in the township to be its duty.

A photostat copy of Mr Badela's notes taken during his interview with Miss Ndzimase was handed into court as an exhibit.

Warrant Officer F. V. Coetzee, of the Security Police, told the court he was on duty in the township on the night of the shootings.

During the evening he had heard shots at the Molefe Higher Primary School and driven there immediately.

Constable N E Botha had told him he had shot a man who had stoned the school.

The dead person, in white trousers, had been identical to a youth who had stoned his car earlier in the evening.

The hearing continues to-

Inquest officials stoned

PORT ELIZABETH — An inspection in loco by an inquest court at a New Brighton School where two blacks were shot by police last year was cut short on Tuesday after police and court officials were stoned.

When the inquest on Mr Michael Heshu, 28, and Andrew Khomo, 16, resumed the following day, the magistrate, Mr J A Coetzee, said that while Const N E Botha had been demonstrating to counsel how he had been sitting in a tree during the shooting incident, a stone landed next to him.

More stones were thrown and magistrate's car was hit.

Mr Coetzee said that after a stone hit a policeman on the head, he had decided to adjourn the inspection.

— Sapa

● See Page 2

Terror witness admits perjury

33
17/11/78
R.D.M.

BETHAL. — A defence witness yesterday admitted to Mr Justice D J Curlewis that he had lied under oath on Wednesday while giving evidence in the terrorism trial in the Bethal Supreme Court.

Mr Justice Curlewis yesterday recalled Mr Churchill Luvuno to the witness box after the witness had completed his evidence on Wednesday in the trial in which 18 men are being charged under the Terrorism Act and of being members of the banned Pan-Africanist Congress.

Mr Luvuno admitted he had lied to the court and asked to be forgiven, but was told by Mr Justice Curlewis that he would not have the court abused in that manner, as the witness would learn to his sorrow in due course.

On Wednesday Mr Luvuno denied the whole of a sworn statement he had made to the police while in detention on 1977. He alleged the statement had been compiled by the police from various other statements they had in their possession and he had not tak-

en an oath before signing it.

Yesterday the judge questioned Mr Luvuno on the correctness of paragraph by paragraph.

In the first paragraph Mr Luvuno described where he was born, who his parents were, what his address was and where he worked.

He admitted this paragraph contained only the truth and the information had been gleaned from him.

In the second paragraph he described how he had been a member of the Students Representative Council in Kagiso near Krugersdorp in June 1976 and how, after the riots in the township that month, he had run away to Rustenburg to evade the police.

He again admitted this paragraph was true.

The judge put it to him that he had said in evidence on Wednesday he had fled to Belfast in the Eastern Transvaal. The witness admitted that he had lied, but said that this was because he had not been aware that he would be questioned on the statement.

The trial continues on Monday. — Sapa.

Youths deny conspiring to mislead court

EAST LONDON — Two 16-year-old youths and a 17-year-old yesterday denied in the Regional Court here they, together with their parents, had conspired to mislead the court not to tell the truth about who burnt the Charles Morgan Higher Primary School in Ginsberg Location near King William's Town.

They further denied deciding to blame Mr Andile Lawrence Sulo, 18, a Std 8 pupil at the Forbes Grant Secondary School in Ginsberg Location in spite of their alleged involvement.

The 17-year-old youth said his father told him the police were looking for him and told him to tell them everything he knew.

His father accompanied him to the police station where he was questioned about who burnt the Charles Morgan School. He then told them Mr Sulo had done it.

The youth said he was ashamed to tell his father and that was why he told him a lie.

"I told the police it was Mr Sulo and that I was present and that I was forced to go there. Mr Sulo took hold of me and took out a knife.

"He held me like that and went into the bush where he took out a litre of petrol. I did not run away when he set alight the school because he is faster than I am.

"If I did he might have chased and injured me," the youth said.

He denied he was involved in the actual burning of the school although he was present. The youth said he was afraid of reporting the matter to the police because he did not want to get involved as

they already knew about the burning.

The one 16-year-old youth said he too was afraid of reporting the matter to the police because he was afraid of being assaulted by Mr Sulo.

He admitted being present when the school was set alight. He also denied implicating Mr Sulo to save himself from being convicted.

He also admitted standing in the passage at the school while Mr Sulo allegedly threw petrol on the floor and desks, but denied he was acting as a lookout to watch if people or the police came to the school.

Mr Sulo in his defence denied the allegations against him saying he slept at his home on the night it is alleged he set the school alight.

He further denied having gone to the school with the youths or that he had forced them to accompany him to the school.

Earlier during the hearing after the State case closed the defence attorney, Mr G. M. Mxenge, for Mr Sulo, applied for his client's discharge, but it was turned down.

Mr Mxenge was refused to act on behalf of the other three youths whom he had not been defending after he had told the court he had been asked by their parents to assist them with their applications for their discharge.

The prosecutor, Mr C. C. Klackers, had also asked the court to place on record that he had been told Mr Mxenge had schooled the youths to ask for their discharge.

The hearing continues on Tuesday. — DDR

'Police came to wrong school'

BETHAL. — Police who fired teargas at the only high school in the Kagiso township near Krugersdorp in September 1976 had gone to the wrong school, an accused told the Bethal Circuit Court trial yesterday.

Mr Themba Hlatswayo, 21, of Kagiso, one of 18 men charged with furthering the aims of the banned Pan Africanist Congress and charges under the Terrorism Act, said in evidence in his own defence that there had been no trouble at his school when police arrived.

There had been trouble at an adjacent school and he had gained the impression that they had been sent to the wrong school.

The principal tried to reason with the police, but teargas was fired and students fled in disarray, he said. A number were arrested.

Later in the day the main body of students had insisted that there should be a demonstration at the police station to gain the release of the students held. As

chairman of the Students Representative Council he had cautioned against a demonstration, warning that the police might open fire, Mr Hlatswayo said.

He had been in favour of negotiating with a magistrate or the police to get the students released, and there had been grumblings among the student body because of his attitude. He had been accused of not identifying with the "struggle".

To further questions by Mr Harry Pitman for the defence, Mr Hlatswayo denied he had ever been at meetings at the house of a co-accused, Mr Michael Matsobane where the PAC, a liberation army outside the borders of South Africa, or military training had been discussed. This had been alleged by several State witnesses earlier in the trial, which began in January.

The trial was postponed to tomorrow to give the State the opportunity to prepare its cross-examination of Mr Hlatswayo. — Sapa.

PAC trial witness charged

BETHAL. — Mr Churchill Luvuno, who was arrested last week after giving evidence for the defence in the Terrorism Act trial in the Bethal Circuit Court, appeared in the Bethal Magistrate's Court yesterday on a charge of perjury.

No evidence was led and Mr Luvuno, 23, of Kagiso

township near Krugersdorp, was remanded to November 28.

In the trial, 18 men are appearing on charges under the Terrorism Act. They are also accused of being members of the banned Pan Africanist Congress. — Sapa.

Court told of police mistake

BETHAL — Police fired teargas at the wrong high school in the Kagiso Township near Krugersdorp in September, 1976, an accused told the Supreme Court in the terrorism trial here yesterday.

Mr Themba Hlatwayo, 21, one of 18 men being charged with furthering the aims of the banned Pan Africanist Congress and other charges under the Terrorism Act, said in evidence in his own defence that there had been no trouble at the high school when police arrived.

There had been trouble at an adjacent school and he had gained the impression the police had been sent to the wrong school.

In spite of the principal of the high school trying to reason with the police, teargas had been fired and students had fled. A number of students had been arrested.

Later the main body of the students had insisted there should be a demonstration at the police station to gain the release of the students. As chairman of the Students' Representatives' Council at the school, he had cautioned against a demonstration, warning that the police might open fire.

The trial continues tomorrow. — SAPA.

Robben Island term dropped

PORT ELIZABETH — One of two men sentenced to five years imprisonment on Robben Island for allegedly planning to undergo military training in Zambia has had his sentence set aside on appeal in the Supreme Court in Grahamstown.

Mr Mlamli Dlanjwa, 22, and Mr Gordon Modemowagae, 19, were charged with contravening section 2 (1) of Act 83 of 1967 in that with three other men, they left Port Elizabeth for Zambia to undergo military training.

When stopped at Queenstown by members of the police, the police found Mr Modemowagae was carrying an ANC pamphlet. When asked where he was going to, he declined to answer.

When the police asked Mr Dlanjwa where he was going, he said he was en route to Zambia for military training. He said this in the presence of a Major Stander and a Constable Cawe.

The court found all the statements which were made by both accused to the magistrate at Port Elizabeth were inadmissible because they were not made voluntarily. The accused pair had contended they had been assaulted before they made the confessions.

The conviction of Mr Dlanjwa was confirmed. Leave to appeal was refused, but the defence team of Fischat and Associates is contemplating petitioning the Chief Justice. — DDR

Terror trial told of quit demand

331 Rem
22/11/78

Staff Reporter

A STATE witness told the Kempton Park Circuit Court yesterday that in June 1976 a group of students arrived at her office and demanded that the school board resign because they had done nothing about Afrikaans as a medium of instruction.

The witness, former secretary of the Basotho School Board, was testifying in camera before Mr Justice Van Dyk at the trial of 11 former Soweto students. All have pleaded not

guilty to a main charge of sedition and an alternative charge under the Terrorism Act.

She told them that the school board had applied for exemption in 1975 but they were not prepared to listen to her explanation.

Another witness, a former principal who had been teaching in Soweto since 1932, told the court that soon after a student asked him to leave the school board he received a letter from the Soweto Students

Representative Council saying: "We hope you have resigned."

The witness said he regarded the letter as a threat because during the height of the unrest in 1976 his car had been stoned and badly damaged.

Also giving evidence yesterday was a woman, warned as an accomplice, who had been in solitary confinement for more than a year.

She said she was elected to the SRC at Orlando West

Junior Secondary School in May 1977 and gave a speech at the first anniversary of the 1976 riots.

She also said she attended a three-day conference of the South African Students Movement which was held in Wilgespruit last year.

Under cross-examination she said she would have liked to have given her evidence in open court but the assistant prosecutor, Mr E du Toit, told her it was wiser not to do so.

Earlier yesterday an accountant of Putco Bus Services, Mr Donald Beaton, said his company lost R1 600 000 because of the township disturbances.

The hearing continues today.

(Mr E. Wentzel, SC; Mr B. Ancer and Mr E. Dane, instructed by Mr Shun Chetty, appear for the accused. Mr K. von Lieres, SC, assisted by Mr E du Toit, appears for the State.)

Sabotage: King man acquitted

KING WILLIAM'S TOWN
— Although the court did not believe his version of his activities on September 28 last year, there was, however, not enough ground for a conviction, a Regional Court magistrate, Mr J. B. Robinson, said here yesterday when he acquitted Mr Orsmond Sakhumzi Mbula.

Mr Mbula, 23, was facing charges of sabotage relating to the burning last year of the Ginsberg beer hall.

The case was heard in camera for the protection of the three State witnesses.

Testimony by two of the witnesses was that Mr Mbula was leader, together with another man, of a group of between 60 and 70 demonstrators, whose activities on September 28 included the stoning of houses at Ginsberg as well as the burning of the beer hall.

Mr Mbula, who pleaded not guilty, said in his

evidence he had been at home for most of the day in question and had only ventured outside the house three times.

He first went out and became aware of demonstrations when he went to a nearby cafe to buy bread at about 10 am. In the afternoon he visited his girlfriend and much later went to witness the burning of the hall.

His aunt, Ms Nomvuyo Mbula, testified that Mr Mbula had been at home between noon and 4 pm that day. — DDR.

b) Even if all local peasant-farmers are poor in comparison with urban middle class levels of living, locally there are always differences. Some are poorer and have less land than others. The peasants who show most interest and affiliate first are those who have rather more land, are a bit less poor, produce more for sale on the market.

c) For a variety of reasons, these peasants are elected to the governing bodies of the induced co-operative and determine policies. For one thing, they are better able to bear the initial monetary contribution. For another, they have more need of the services that a co-operative can render and they show more enthusiasm. The establishment of a co-operative is often an occasion on which the government makes some agricultural credit available to the community. The rather more market-oriented and innovative peasants are more likely to see the use to which they can put this credit and/or are in a better position to incur the risk that accompanies any innovation. As work on the governing bodies is seldom remunerated, they can only be filled by day from Sunday.

PAC men granted asylum in U.K.

Mercury Correspondent
LONDON — Britain has granted asylum to three South African political refugees and their families.

Members of the Pan-Africanist Congress, they were held as political prisoners in Swaziland until they received permission last week to enter Britain.

They are Joe Maobi, Martin Mabiletsa and Pitika Ntuli.

Mr. Ngila Michael Munden, the PAC representative in London said that the three men had been detained in Swaziland because of pressures from the South African Government.

Six others are still in prison in Swaziland.

Because of the arrests the PAC was no longer able to operate the escape trail through Swaziland for young Black South Africans.

Members of the board, will try their problems with those of under-lying local agriculture in general. It also happens because the entire vision behind such co-operatives is technical: solutions are sought in increases of productivity. One of the services for which small peasants often ask, the cheap provision of industrial consumer goods, cannot be very well provided by the co-operative. Lack of capital

does not allow it to give credit as does the local shop-keeper. If it should do so it would go bankrupt in short order, pushed along by the ubiquitous inflation.

e) The peasants affiliated to the co-operative are in general too poor to provide their organisation with sufficient working capital. The co-operative remains dependent upon the provision of government credit and the particular channels through which this flows.

f) Important credits are usually only allocated to specific projects, such as the adoption of a new crop or the acquisition of machinery. A factor which limits the possible success of such projects but is often underestimated is the lack of management qualities on the part of the co-operative. Management is so weak that losses are incurred instead of the anticipated and originally promised gains. Paradoxically, a manager who is capable of directing the various activities of a co-operative, sufficiently well to make a profit is expected to do so for much less than he would earn were he to strike out on his own. Moreover, accounts books are often so much in arrears that it becomes impossible to tell whether fraudulent practices have occurred or not. This naturally creates a rich source of rumour and slander. As a result of the relative failure of projects the partial inability of the organisation to repay debts, the government - which sees more glamour in a new project somewhere else than in a strenuous effort to rehabilitate an old project which was perhaps started in an earlier presidential period - withdraws further support.

g) If this happens, the rank and file members of the co-operative, who affiliated initially because they hoped to obtain substantial credit through the association, begin to lose interest and become spectators rather than participants. Rumours and distrust have already damaged relations in the community. Board members resign and are replaced by weaker figures. The co-operative finds itself more and more often short of money. One day an industry that provided the co-operative with some of its inputs stops deliveries. Members start buying and selling elsewhere. Machinery that breaks down is not repaired. It is all over.

P l e w m a n		Projection 1		Projection 2		von Wiellig
Copper	12,4	12,7	7,9			
Iron ore	7,7	8,6	8,5			
Chrome	6,1	6,4	9,4			
Manganese	7,7	8,0	5,1			
Coal	5,8	8,2	3,2			
Asbestos	6,5	6,7	n.a.			
Others	n.a.	n.a.	n.a.			
Gold	0	0	n.a.			
Diamonds			n.a.			
Platinum			8,1			

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schoolboys to leave South Africa, and attempt to leave himself.

But, Mr Dube said, he changed his story after he came to the conclusion the Security Police "knew everything" about him, and after he thought he had been "sold out" by one of the accused, Mr Sithembiso Ernest Ngobese.

Mr Ngobese and two other men are charged on two counts under the Terrorism Act. Appearing with them are three men and a women charged on one count under the Terrorism Act.

Mr Muntu Cedric Dube, under cross-examination in the Durban Regional Court, said he had previously told Security Policemen that he didnot own any illegal tape recordings, receive a letter urging him to undergo military training, assist and attempt to assist four men to leave South Africa, assist

DURBAN. — A witness in the Durban terrorism trial of seven people agreed yesterday that he had changed his story because he "did not look forward to being hanged".

Own Correspondent

'I didn't want to hang so I changed story'

331

29/11/78

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3.1.3 Von WIELLIGH output projections, 1975-1980/85

In his presidential address last year to the South African Institute of Mining and Metallurgy Mr. von WIELLIGH, also Senior Vice-President of the Chamber of Mines, included some production projections for a series of minerals from 1975 to 1980/85 (to be discussed here) and to 2000 (to be discussed later).⁴² His projections are given in terms of rates of growth per annum. We shall list them here and compare them with those of Plewman (made 3 years earlier).

TABLE 32:

PLEWMAN (1970-1980) AND VON WIELLIGH (1975-1978/85) PROJECTED RATES OF GROWTH OF MINERALS PRODUCTION (PER CENT PER ANNUM)

12. To

12.1

Rope held no appeal for witness

Mercury Reporter

A WITNESS at the Durban terrorism trial in which seven people are accused, agreed yesterday that he had changed his story because "he did not look forward to being hanged."

Mr. Muntu Cedric Dube, under cross-examination in the Durban Regional Court, said he had told Security Branch policemen questioning him that he did not own any illegal tape recordings, receive a letter urging him to undergo

military training, assist and attempt to assist four men to leave South Africa, assist Chesterville schoolboys to leave the country and attempt to leave the country himself. Mr. Dube told the Court he changed his story when

he came to the conclusion the Security Branch "knew everything about him" and after he thought he had been "sold out" by one of the accused, Mr. Sithemiso Ernest Ngobese.

Mr. Ngobese and two other men are charged on two counts under the Terrorism Act.

Appearing with them before Mr. T. Blunden were three men and a woman charged on one count under the Terrorism Act.

Mr. Dube said he was expecting to be arrested when he was arrested on December 7 last year.

He had not been told why he was detained but Section 6 of the Terrorism Act had been explained to him.

The hearing continues on Friday.

1961 and 1976 the rate at which jobs are of this 30-year period turns out to be on between 1946 and 1961 viz. 0,2 per cent per annum (argued above in the case of gold) one all constraints in 1974 to 1976 - and if one employment figures for 1977 as establishing an annual average of about 700 000 workers in the growth rate rises to about 0,6 per cent distinctly below that for 1946-61.

12.2 The underlying reasons for the different employment growth records in the two periods are fairly clear.

12.2.1 In the period to 1961 employment in gold mining was expanding - adding about 95 000 jobs to the total. This impulse was imparted to the overall total. Similar expansion of output and employment in coal, asbestos, quarries and salt and manganese ore (to take the obvious candidates) reinforced the growth tendency. It appears that technical progress was not yet of the sort (or at the rate) to damp down employment growth markedly - in the face of rapid output growth.

Jailed for 22 years

Mercury Bureau

PIETERMARITZBURG — An African whose idealism concerning the liberation of Blacks in South Africa led to his conviction on two counts under the Terrorism Act and one of attempted murder was sentenced in the Supreme Court yesterday to 30 years in jail.

Mr. Justice Kriek ordered that the prison terms imposed on Timothy Muntu Nxumalo (21) under the Terrorism Act run concurrently, bringing the effective imprisonment period to 20 years.

Nxumalo was sentenced to 10 years on a charge under the Terrorism Act relating to his undergoing military training outside South Africa between October 1977 and April this year.

He received eight years on a second charge under

the Terrorism Act in that a 7,65mm pistol and 27 rounds of ammunition was found in his possession.

Nxumalo was sentenced to 12 years' imprisonment for the attempted murder of Mr. Albert Mteku (62), a Chesterville town councillor, on April 9 this year.

An application for leave to appeal against both conviction and sentence was refused.

Defence counsel told the Mercury after the hearing that the Chief Justice would be petitioned

Fear stops witness

DURBAN. — A State witness in a Terrorism Act trial said in the Durban Regional Court yesterday that he no longer wished to give evidence as he feared for himself and his family.

Mr Muntu Cedric Dube, an alleged accomplice, was testifying at the trial of six men and a woman charged with inciting or assisting 21 people to leave South Africa for military training.

They have all pleaded not guilty. Three of the accused

have also pleaded not guilty to charges of attempting to leave South Africa last year for military training.

When Mr Dube was called to continue his evidence yesterday, he said he no longer wished to be a witness.

It was arranged that he be given an opportunity to consult a lawyer and to discuss the matter with his family.

The trial was adjourned until Monday. — Sapa

13.

findings of the investigation were that in the sample the initiative for establishing the liaison management. In about 9% of the sample the management and its African employees together. taken the initiative on their own. In fact from the sample that in only 2 of 326 organisations had this determining African workers' needs for a liaison sample attributed the main factor to management's

'foresight', while some 24% had discussed the matter with African supervisors and obtained their views, and about 18% had held general meetings of all their African employees. In only some 4% of the organisations had African employees themselves brought the question of the establishment of a liaison committee to management's attention.

Rather surprisingly, African members of the liaison committee did not participate in selecting the chairman of their committee in 81,9% of the participating organisations. On the other hand, 79,1% of the respondents reported that African members of the liaison committee were elected rather than appointed by management. However, in only 16,6% of the firms could candidates be nominated without any restriction, for example, as to age or seniority. A representational spread from different departments was required by 78,1% of the respondents, while 46,2% required service (seniority) qualifications and 27,3% required a certain age limit. Voting was usually by means of ballot papers (57,1% of the respondents) or by a show of hands (33,4% of the respondents).

About 63% of the respondents reported that their liaison committees were elected for a period of one year while nearly 28% recorded a two-year period of office. In most instances, 72%, regular monthly committee meetings were held, but a further 12% met every two months and 5% quarterly.

There were 284 organisations which responded to a question as to why they had preferred a liaison to a works committee. The majority of 147 (nearly 52%) gave as their reason that the liaison committee was an 'anti-polarisation' device conferring benefits such as better guidance by management and prompt solution of problems, thus serving both parties' interests and improving two-way communication. In a further 38 instances (about 13%) either the liaison committee

RDM
Pamphlet bomb foiled

2/12/78

(33)

CAPE TOWN. — A pamphlet bomb which burned but did not explode was spotted by a passer-by on the corner of Corporation and Longmarket streets in Cape Town.

Police called to the scene found a plastic container holding banned African National Congress pamphlets inside the bomb, which had a timing mechanism.

This incident on Thursday

came hard on the heels of two other bombs that exploded, one in Johannesburg on Wednesday and another in Durban on Monday.

The Johannesburg pamphlets showed pictures of Nelson Mandela, detained former leader of the African National Congress.

Nobody was hurt in any of the explosions. Security Police are investigating.

Sapa

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SOUTHERN AFRICA

TELEPHONE 69-8531 (Ext. 453 440)

Witness changes mind on Inkatha

Mercury Reporter

THE Durban terrorism trial heard yesterday that Inkatha, the Zulu cultural movement, was thought to have been hampering the political liberation of the Black man.

A witness, who on Friday said he did not want to give further evidence for fear of his and his family's lives, was testifying at the trial in which six men and a woman are charged with inciting 21 people to leave South Africa for armed training.

The witness said he had hated everything that hampered the political liberation of the Black man and "sell-outs" who gave evidence against erst-while colleagues in "political" trials.

He had disagreed with his father holding a position in Inkatha because he had thought this hampered the liberation of the Black man.

He changed his views because he had spent "so much time with people who obstruct political liberation."

The trial was adjourned to today because one of the accused, Mr. Nhlania Victor Euclid Ngidi, was ill.

DEVELOPMENT RESEARCH UNIT

RESEARCH DIVISION,
SCHOOL OF ECONOMICS,
BEATTIE BUILDING,
UNIVERSITY OF CAPE TOWN,
RONDEBOSCH,
7700.



PAPERS

NO.	AUTHOR		PRICE
1.	Francis Wilson	In Southern Africa	R2,00
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9.	Nigel Bloch	The Technicians	R2,50
10.	David Selvan	Ho Migrant Workers in	R3,00
11.	Sheila Niven/ Charles Simkins	Ca because he had spent "so much time with people who obstruct political liberation." A tterns in Hanover Park in	R1,50
12.	Johann Maree/ Janet Graaff	Re to today because one of the accused, Mr. Nhlania Vic- tor Euclid Ngidi, was ill. Workers in Cape Town	R4,00
13.	Norman Reynolds	Rural Development in Botswana	R2,00
14.	Johann Maree/ Judith Cornell	Sample Survey of Squatters in Unibell	R1,50
15.	Norman Bromberger (FORTHCOMING)	Mining Employment in South Africa, 1946-2000	R4,00
16.	Gordon Young (FORTHCOMING)		
17.	Johann Maree	Sample Survey of Squatters in Crossroads	R1,50

Terrorism trial decision today

TABLE 21: EMPLOY

331 NIM 51478 Mercury Bureau

WORKS) 1946-1977

Year	White				African	Total
1946	51 347				..	475 645
1947	50 425				..	469 050
1948	50 479				..	449 468
1949	51 720				..	479 969
1950	56 020				..	504 681
1951	57 996				..	506 790
1952	59 307				..	519 944
1953	60 332	447 064	..	..	..	507 396
1954	62 900	470 034	..	..	..	532 934
1955	65 428	476 276	..	..	..	541 704
1956	66 375	489 555	..	..	..	555 930
1957	66 010	498 290	..	..	..	564 300
1958	64 694	501 409	..	..	..	566 103
1959	67 031	544 352	..	..	..	611 383
1960	67 821	554 392	..	..	..	622 213
1961	67 852	570 306	..	..	..	638 158
1962	67 561	566 698	..	..	..	634 259
1963	66 800	551 053	..	..	..	617 853
1964	66 294	558 450	..	..	..	624 744
1965	65 907	565 207	..	..	..	631 114
1966	65 901	569 329	708	5 624	562 997	635 230
1967	64 327	554 492	681	5 716	548 095	618 819
1968	63 480	569 530	678	5 867	562 985	633 010
1969	63 228	577 172	612	6 188	570 372	640 400
1970	63 740	597 707	628	6 695	590 384	661 447
1971	61 732	595 449	604	6 881	587 964	657 181
1972	60 485	569 615	572	7 321	561 722	630 100
1973	61 921	615 747	570	7 805	607 372	677 668
1974	62 977	603 716	533	7 628	595 555	666 693
1975	63 223	565 092	600	7 545	556 947	628 315
1976	63 982	593 610	616	7 445	585 549	657 592
1977						701 434

PIETERMARITZBURG — A decision will be taken today on the admissability of a statement made to a Security Branch captain by a Terrorism Act detainee.

The statement, which was made before Mzilikaze Godfrey Khumalo had been warned he was being detained under Section 6 of the Terrorism Act, was placed before the Court by State Prosecutor Miss C. Thomas shortly before the Court adjourned on Friday.

When proceedings began this morning, Judge President Mr. Justice James asked the two assessors to leave the court so he could hear the statement made to Captain G. J. Els of the Newcastle Security Branch, who arrested Khumalo on March 1 this year.

Captain Els told the Court he had arrested Khumalo at Madedeni township after Khumalo's car, driven by a friend carrying a magazine from a communist-made pistol, had been stopped at a roadblock near Piet Retief.

He denied allegations put by Mr. J. N. M. Poswa, for Khumalo, that he and other policemen had assaulted Khumalo. The statement, Captain Els said, had been made voluntarily.

TABLE 7: EMPLOYMENT ON OTHER MINES: 1946-1977
(MAINLY PLATINUM)

Year	White	Indian	Coloured	African	Total	
1946	..	..	..	..	3 575
1947	..	..	..	..	3 982
1948	..	..	..	..	4 689
1949	..	..	..	..	6 668
1950	..	..	..	..	7 567
1951	..	..	..	..	7 882
1952	..	..	..	..	13 494
1953	..	..	..	..	13 558
1954	..	..	..	..	14 669
1955	..	..	..	..	14 270
1956	..	..	..	..	17 376
1957	..	..	..	..	19 630
1958	..	..	..	..	9 675
1959	1 104	..	..	..	11 645
1960	1 463	..	..	..	16 044
1961	1 414	..	..	..	15 474
1962	1 406	..	..	..	15 318
1963	1 433	..	..	..	13 735
1964	1 665	..	..	..	17 823
1965	1 911	..	..	..	22 314
1966	2 159	24 242	4	346	23 892	26 401
1967	2 933	28 621	1	569	28 051	31 554
1968	3 770	38 392	3	552	37 837	42 162
1969	4 523	55 832	13	516	55 303	60 355
1970	5 379	57 075	6	525	56 544	62 454
1971	5 172	51 461	12	442	51 007	56 633
1972	3 966	39 833	5	349	39 479	43 799
1973	5 116	67 694	4	536	67 154	72 810
1974	6 194	80 698	2	414	80 282	86 892
1975	5 479	62 723	3	438	62 282	68 202
1976	4 339	67 660	2	316	67 342	71 999
1977						75 632

Star 5/12/18
PAC men for Greece

MBABANE — Four banned Pan Africanist Congress refugees have been granted transit acceptance to Greece, according to the office of Swaziland's Deputy Prime Minister.

They are a former teacher in South Africa and secretary for the PAC in Swaziland, Mr Richard Dumisani Dlamini, Mr Daniel

Ezekiel Mdluli, Mr Gilbert Sifuba and Mr Sydwell Mica Mkhonza.

The four are among 39 PAC members declared prohibited immigrants — most of them in absentia — by the Swaziland Government on April 7 this year following a request by the acting president of the PAC in Tanzania.

pay a greater share of the cost of storage and transport, and lead to greater efficiencies.

iv Increase expenditure on crop to society each, thereby v Create a general share of the cost of storage and transport, and lead to greater efficiencies.

iii Raise expenditure on health and education 500%.

ii Increase family on-farm investment and savings from zero to an appreciable proportion of income, here above 20%.

i Increase family income by P320, particularly from larger outlays on farm operations.

Accepting the above figures, P250 earned and P50 from the sale of annual grazing rights would:-

(1) Need P450 to reach poverty line. Any additional income earned under an employment programme above P250 would probably add considerably to farm improvements, consumption, savings and expenditure on farm operations.

(2) Calculated on rough share of P1 million total transfer by rental sale.

Employment Guarantee Programme and a Company Grazing System		Before		After	
		Income	Expenditure	Income	Expenditure
Farm Operations	21	5	100	25	
Other Income	99	-	70	-	
Transfers	40	-	10	-	
EGS	-	-	250 (1)	-	
Sale of Annual Rental on Grazing Rights	-	-	50 (2)	-	
Home and Farm Improvement	-	-	-	60	
Tax on Grazing Rights	-	-	-	20	
Education	-	5	-	40	
Health	-	5	-	15	
Consumption	-	145	-	310	
Savings	-	-	-	30	
				480	

Hypothetical Family Budget of Family in poorest 5% Category with an

Table II

Bantu Education makes blacks leave witness

DURBAN. — A witness in the Terrorism Act trial in the Durban Regional Court said yesterday many blacks wished to leave South Africa because they believed Bantu Education kept them in an inferior position.

He was giving evidence before Mr T L Blunden at the trial of six men and a woman charged with inciting or assisting 21 people to leave South Africa for military training.

They are Sithembiso Ernest Ngobese, 26, Themba Patrick Nxumalo, 26, Erick Fanavele Mlaba, 22, Nhlanhla Victor Euclid Ngidi, 25, Kwenzakhe Elija Mlaba, 26, Penuel Moampa Maduna, 26, and Sibongile Albertina Kubheka, 27. All have pleaded not guilty.

Mr Ngobese, Mr Nxumalo and Mr Erick Mlaba have also pleaded not guilty to a charge of attempting to leave South Africa during November and December last year for military training.

The witness said one of the reasons some people wanted to leave South Africa was to have education outside South Africa. It was felt that the Bantu Education system kept blacks in an inferior position.

He said he had spoken strongly against the Bantu Education system.

The main reason he and his companions wanted to leave South Africa was to have military training, he said.

The hearing continues.

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Sun. Times 10/12/78

'Explosive' (331) pamphlets sent by post

By RAY JOSEPH

PRO-ANC propaganda, distributed in Johannesburg and Cape Town in three separate pamphlet-bomb explosions earlier this month, is being posted anonymously to people and organisations throughout South Africa.

A similar incident took place in Durban shortly before, but it is not known whether the pamphlets in this particular bomb were the same as those in the Johannesburg and Cape Town incidents.

The pamphlets, which quote widely from the banned ANC leader, Nelson Mandela, who is serving a life sentence on Robben Island, also feature pictures of Mandela and those of ANC President, Oliver Tambo, and Angolan President, Agostinho Neto.

Security police have refused to comment on the

pamphlets, except to confirm they were "aware of them" and that the matter was being investigated.

A well-informed source said that the pamphlets were the same as the thousands which were scattered over a wide area after two bombs exploded within 10 minutes of each other in parks in central Johannesburg early this month.

On the same day a burning bucket-bomb containing similar pamphlets was found in the heart of Cape Town.

The pamphlets came into the possession of the Sunday Times after two letters containing the pamphlets were received within a week of each other. Both letters were posted in Kroonstad.

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1 grazing lands

The establishment of a price on grazing should help at times of drought or of any other altered condition that requires a reduction in, or an altered composition of, the total herd. In the last ten years the cattle population has grown 250% to 3 million while the off-take rate has remained almost unchanged at the low overall level of 8%. One, if not more than one, year of drought must now be imminent, at least in statistical terms. If severe, and if it were to develop into a cycle of bad years, the pastures carrying capacity would drop considerably, perhaps to between 1,5 and 2 million. Favourable beef prices, while they last, would help to raise the off-take, perhaps even as high as double the current level or about 400 000 head of cattle a year. In other words over two years the market might handle 800 000 out of the 1 to 1,5 million head that should be culled; or 50% to 80% of the requirement.

A fall in beef prices, not so likely the European prices but certainly the local sale prices, would upset the off-take so that the conservative

Chief draws ANC parallel

African Affairs
Reporter

THE African National Congress and the Pan-Africanist Congress, now banned, had been committed to non-violence just like Inkatha but they could no longer operate legally in South Africa and they had to change their tactics, Chief Gatsha Buthelezi of KwaZulu said at the weekend.

The Chief was speaking at the inauguration of three Inkatha regions at Umzumbi.

For them there was no choice after the then Minister of Justice, Mr. B. J. Vorster, banned them.

"I am not saying that I approve of what they decided to do."

He posed a question as to what would happen if the Minister of Justice took action against Inkatha as he threatened to do in September last year.

"My point in mentioning the banned liberation movements was to make a clear point between them and the political amateurs

who want to make use of our children's lives by trying to stampede our people into immature, half-baked actions."

The Chief challenged Mr. P. W. Botha, the Prime Minister, to answer him publicly why he (Chief Buthelezi) had been a target of a number of Government departments.

"It is a common cause that the corrupt and defunct Department of Information did its best to create opposition to me, to the extent of dragging in our King into their dirty

political games.

"Inala Party was just the last attempt. It is also a matter of record that the now defunct Bureau for State Security deposited R12 000 into the Volkskas Bank in Durban through Mr. Francois Fouche in an attempt to launch the Shaka's Spear Party, which was aimed at toppling me."

The Chief said the Security Branch was busy recruiting Inkatha members to inform on him and Inkatha.

DE LIVER IN FIFTEEN ORGANISATIONS (17%) management had taken the initiative for

establishing the committee, while African employees had done this in five (15%), and management and employees together had taken the decision in fourteen (41%).

There was a tendency for older workers and those with longer service to be elected to these committees: in 80% of the organisations there were no restrictions whatsoever on the nomination of candidates, while in 20% there were certain requirements, mainly to achieve equal departmental representation.³⁸

82% of the respondents reported that their works committees were elected for a period of one year. In most instances, 68%, regular monthly committee meetings were held, while a further 9% met weekly and 6% met at fortnightly intervals.

The most frequently mentioned reasons for choosing a works committee were that they were more effective than liaison committees, that they were more representative and acceptable to African workers, and that the workers preferred them.

In 1973 only three co-ordinating works committees³⁹ had been established.

Recognition of African Trade Unions

The Verster investigation indicated that while the majority of participating organisations with liaison committees (56%) were opposed to the recognition of African trade unions, the majority of those with works committees (68%) were in favour of recognising them.⁴⁰

37. Op.cit. pp.91-4.

38. Ibid, pp.97-101.

39. Hansard 3 columns 160-1, 22 August 1973.

40. Op.cit. pp.66-8, 108.

CAPE TIMES

5/12/78

331

Man appeals against sentence in ANC case

CHRISTMAS TINTO, 51, sentenced to seven years' imprisonment after being convicted of furthering the aims of the banned African National Congress, appealed against his sentence in the Supreme Court yesterday.

It was found that during the student unrest, Tinto had addressed groups of schoolchildren at or near Guguletu.

He was found guilty under the Internal Security Act of inciting, instigating, aiding, advising, encouraging or procuring other persons to undergo training which could be of use in furthering the achievement of any of the objects of the ANC or any other body or organization

which had been declared to be an unlawful organization.

Mr B M Kies, representing Tinto, made a submission that copies of the official organ of the ANC, Sechaba, handed in during the trial should not have been allowed as evidence.

He also said the magistrate had erred when he sentenced Tinto to two years more than the legal minimum of five for convictions under the Act.

The hearing will continue at a later date to be set by the Registrar of the Court.

Mr Justice Burger is sitting with Mr Justice Friedman. Mr A J Bester is appearing for the State. Mr B M Kies, instructed by A M Omar and Co, is appearing for Tinto.

tion is not achieved simultaneously with the liberation of men against their exploitation in the mines, factories and on the farms of this land. Finally, let us conclude by posing a question. Bearing the conclusions of the UCT Women's Movement in mind - conclusions which are not the result of confusion but which flow logically from their approach - can one suggest that women should work within this movement? Or should women who reject the analysis of the UCT Women's Movement rather work to consolidate an independent organisation of women that can come to grips with the problem of exploited women in South Africa. Such a movement would work in opposition to bourgeois feminist groups or would only form an alliance on specific issues, on its own terms, but just as the women's struggle needs to be integrated into a wider social struggle, so too would such a movement, though separate, nonetheless have to integrate itself into wider movements of struggle thus confirming in its political practice the realities and possibilities of its analytical position.

But above all, this assertion that would have the primary conflict as that being between men and women can have no concept of history, of politics, of change. If one asserts that the history of men and women has always been governed by this primary contradiction, how then does one explain the changing nature of domination - for example, how does slavery change to feudalism, feudalism to capitalism? How does one introduce the political into one's analysis or must it necessarily be arbitrarily introduced from the outside as something external to an analysis? And how does one change the structural position of women if men fail to heed the call to "change their consciousness"? Social classes may be overthrown, men cannot (despite wishful thinking on behalf of some). In short, how can this "sisterhood is powerful" be translated into effective political practice?

It is clear, then, that the UCT Women's Movement cannot have a clear definition of objectives, a systematic analysis of the structural position of women, tying it into the economic, political and ideological levels of society. Instead, it remains in the realm of rhetoric, arbitrary and individual, rather than informed by a critical and objective approach to the totality of society and its forms of oppression.

Contrary to this kind of analysis, we assert that the history of men and women can only be understood in terms of the contradictions that exist between

social classes. This is not to deny the importance of the women's struggle against exploitation and discrimination. Indeed the mere fact that half of exploited and oppressed people of the world are women indicates a central role for this struggle. Instead, recognising the urgency of this struggle, we assert that to ignore the very real contradictions that exist between bourgeois women who experience their oppression as discriminatory and working class women who experience their oppression as essentially tation, to ignore the specific which the oppression of women is produced and ensured within the South African social formation, and all, to ignore the struggles of people struggling against exploitation is not only incorrect but lead to inadequate strategies that could well ensure that women's

Captured men questioned

- 96 -

EAST LONDON — Three men, believed to be members of the South African Security Police, spent 17 days in Umtata questioning the alleged Pan Africanist terrorists said to have been detained by the Transkei Security Police last month after evading capture in South Africa.

The South African Minister of Justice, Mr Kruger, said in radio and TV broadcasts last month, that five terrorists had evaded capture in South Africa but subsequently had been caught by Transkei police.

The Chief of the Transkei's Security Branch, Col Martin Ngceba, commenting at the time on Mr Kruger's statement, said he had no knowledge of the arrest of any PAC terrorists.

Three men, Mr W. van Aswegen, Mr H. T. Baker and Mr M. A. Mankga, arrived in Umtata on October 30. They questioned three men.

The three South Africans left with the men they had been questioning

on November 15. The men were booked at an Umtata hotel while they were conducting their questioning.

The Minister of Justice, Mr D. Koyana, and the Minister of Police, Chief George Matanzima, could not be contacted yesterday for their comments.

Col Ngceba is on leave and the acting chief of the Security Police, Maj L. N. Tyelela, said he was not prepared to comment. When told that it was believed the hotel bill for the three South African Special Branch members was paid by the Transkeian Government, Maj Tyelela said: "That is ridiculous." — DDR

Carter has a grand-daughter

WASHINGTON — Mrs Judy Carter, daughter-in-law of Pres Carter, yesterday gave birth in Atlanta, Georgia, to a 3,5 kg girl, the President's first grand-daughter. — SAPA AP.

on of the Projection is to note that there making heavy impacts on the overall employment 1, asbestos and platinum (positive) and tributions to increases (+) or decreases (-) e projected to be as follows: + 110 458 95 883 (asbestos), + 202 833 (platinum), - tal gross increases of 536 138, these four and platinum, contribute 492 619.

s are somewhat worrisome. We have already e fallen behind schedule in the 1970s - in projected and experiencing unprojected

productivity increases. These employment backlogs will be carried forward - and even if the less ambitious output projections of the 1980s and 1990s are met and productivity stabilises there will still be a considerable shortfall.

Platinum is highly uncertain - both as to future output levels and as to productivity changes (which we have no direct evidence about).

Coal by comparison seems a fairly dependable projection. Gold we have decided represents an overestimate of decline - and on present view may deliver up to 50 per cent more output than Plewman projected for 2000, and hence require about 50 000 more workers than projected.

For the rest we expect employment in diamond mining to decline not increase; and in chrome to be higher than projected because of apparently very slow productivity change.

Is it possible to put numbers to these views? It might be worth a try.

Security police 'offered deal to PAC man'

By Dave Jackson,
The Star's Africa News Service

(HITLITIM NOA)

MBABANE — A deal allegedly offered by the South African security police to a former member of the Pan Africanist Congress in Swaziland has raised new questions about the possible influence in Swaziland of outside agents.

A disclosure that the South African security police tried to obtain the help of a PAC man while he was being held in custody in Swaziland is contained in a letter purporting to come from the security police in Ermelo which has been obtained in Mbabane.

The letter is stamped with the SAP crest and is signed by Major N J J van Rensburg, branch commander of the security police at Ermelo.

It was addressed to Mrs Stella Moabi, whose husband Johannes was granted asylum in England with other PAC members this month. Mrs Moabi left to join her husband soon afterwards.

In the letter the major says he had received reliable information that Mrs Moabi's husband was disillusioned with the PAC.

He gave the assurance that Mr Moabi and his family would be welcome to return to South Africa and would not be prosecuted.

rejections that in the long-term output at per annum range - in all three cases re reported by von Wielligh to have grown are dependent - and will continue to be in particular (for chrome, manganese) on term growth at 5-6 per cent per annum implausible but would seem to require markets - if one is to take the view that are not likely to

is von Wielligh. Much of the growth in ated in the period 1941-45: for those range compound growth of 74.25 per cent

	Plewman I (1980-2000)	Plewman II (1980-2000)	von Wielligh (1980/5-2000)	Actual output (1941-75)
Copper	5,5	5,6	6,0	8,3
Iron Ore	4,7	5,4	7,4-8,3	9,4
Chrome	5,3	5,6	5,0	9,4
Manganese	5,3	5,6	5,1	11,9
Coal	5,1	7,8	4,0	4,0
Asbestos	5,5	5,6	n.a.	9,2
Other			n.a.	n.a.
Gold			n.a.	1,7
Diamonds			n.a.	16,9
Platinum			2,8	17,0

TABLE 39: OUTPUT PROJECTIONS TO 2000 A.D.: RATES OF GROWTH PER ANNUM

TABLE 40: R

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appendix

ON FEMINISM

As a group of U.C.T. Fem in including the pretenti their latest newsletter. Illogicalities, misconcep

The description of what a obvious; "A Women's Moven the women's position with as the "pass-laws, the re not been explored, even t the writer of this articl currently in progress amo that members of the Movem "examining the institutio position of women in Scot refers to as "adequate pc undeniably bourgeois esta projected "integrated str utopianism, organisation in no way excludes the aw

In correlating such diver between men and women" (w that "the contradictions Importance (if at all)" a basic feminist tenet to (not to be confused with only one of the numerous organization of the movem the U.C.T. Women's Movemer its policies accordingly.

By a process of flawed ill the most erroneous of whic position in any Women's Movement would endorse raising" as an involvement with personal issue tedious catalogue of fundamentals, the writer fact that "women's problems"- rape, the pill, private problems and that the small group fac awareness from the personal to the political. consciousness there can be no mass political co of this is the "speaking bitterness" sessions peasant women, this state of affairs," he said.

The cultural c of their oppres contradictions as discriminati essentially exp psycho-sexual f on the other su profound unders reinforce each

The mock-warnin liberation is r no cognisance c century have w equality, simultaneously or after the revolutio

Lift bans on ANC, PAC says Currie

Star 27/12/78
(331)

Own Correspondent
BLOEMFONTEIN — The acting leader of the Labour Party, Mr David Currie, today called on the Government to lift banning on the African National Congress, the Pan African Congress and other organisations so that a peaceful

negotiated settlement could be reached in South Africa.

Mr Currie, who took over when Mr Sonny Leon resigned two months ago, was addressing the annual conference of the Labour Party.

There could be no

peace, he said, as long as organisations were banned.

The Government must stop behaving stubbornly in the manner of the Rhodesian Prime Minister, Mr Ian Smith, when he declared UDI some 13 years ago.

Mr Smith, he said, was now being forced to accept the very people he had condemned.

And South Africa too must start negotiating with its black leaders before options became fewer and violence escalated beyond control.

WE'RE READY

The so-called coloured people and the black people in general were prepared to co-operate with whites in building a new South Africa and were prepared to even die for it. But, he said, they were not prepared to die for the policy of apartheid and white South Africa.

Mr Currie added that the Labour Party would continue to reject the Government's new constitutional proposals simply because they were devised by whites only.

"We believe in one-man one-vote in a unitary society," he said.

"I would like to emphasise that any new proposals for a new deal in South Africa must include the African people.

"We will never be free unless he is free. Our freedom depends on his freedom.

"It is playing games if we believe that full citizenship is for coloureds, Indians and whites only," said Mr Currie.

Reaction on Info was 'kragdadig'

Own Correspondent

BLOEMFONTEIN — The Government, and particularly the Prime Minister Mr P W Botha, had reacted in typical arrogant and kragdadig fashion in attempting to cover up and play down the Department of Information scandal, Mr David Currie, acting leader of the Labour Party, said today.

He was addressing more than 200 delegates at the annual Labour Party conference in Bloemfontein's Ashbury coloured township community centre.

Mr Currie, who is tipped to take over the leadership of the party, said it was not surprising that corruption and abuse should appear when a minority government had been in power so long and had developed an arrogant contempt for the people.

It had used its power to equate the National Party with the State, he said.

"The Department of Information issue is only one of a long history of scandals such as the Agliotti affair, Landbank loans and the Faros scandal.

"Heaven only knows what corruption and abuse is possibly being suppressed and kept from the public.

"In the light of all these deplorable developments it is tragic that the majority of the white electorate, to protect and preserve their privileged positions, are prepared to

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Changing laws wasn't SASM aim — accused

BETHAL. — Changing South Africa's "satanic" laws was not one of the objectives of the banned South African Students' Movement, one of 18 accused in the terrorism trial told the Supreme Court yesterday.

The 18 men are appearing on charges under the Terrorism Act and of furthering the aims of the banned Pan-Africanist Congress.

Mr Mothlagagi Thlale, 22, of Kagiso, said in cross-examination that he would not have been unhappy if members of SASM had tried to change what he called "satanic laws" — but this

was not within the framework of the movement's aims.

In further evidence, Mr Thlale said that he had once joined the Students' Christian Movement, even though he was not a Christian. He had a strong belief in religion, but not in Christianity, he said.

He had also joined the Young Africa Movement to help the people to help themselves. The State charges that some of the accused used the movement as a front for the PAC.

When he had sung "Izwe Lethu" (Our Country) he had done so because he felt he belonged to this country

and nowhere else, Mr Thlale said.

He had not been aware that this was the song of the PAC. He and Mr Themba Hlatwayo, another of the accused, had normally started the singing in the Bethal court cells, and the other accused had then joined in.

Mr Thlale said it had meant nothing to him when he had heard a State witness give evidence that "service, suffering and sacrifice" was the slogan, and "Izwe Lethu" the song of the PAC.

The trial continues today. — Sapa.

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labour unrest seems to — management perceives its interests to be best served by a system of control through consultation. Whether this is the case remains to be seen.

The Works Committee in Practice

We turn now to a consideration of works committees. In January 1973 there were only 24 statutorily-constituted works committees throughout the Republic³³ but by the end of March of that year these had increased to 31.³⁴ At the end of 1974 the number of these committees had reached 207³⁵ and of these, 98 (47%) were located in the Transvaal, 61 (30%) in the Cape, 45 (22%) in Natal, 3 (1%) in the O.F.S. Later information put the number at 239 in May 1975, a ten-fold increase in a little over two years.³⁶

The Verster investigation collected less satisfactory data on these committees than it had on liaison committees. This was due in part to the fact that management is not represented on a works committee and in many instances was not able, therefore, to complete the questionnaire satisfactorily. In some cases, apparently, the works committee members viewed the questionnaire and its purpose with suspicion. In June 1974 questionnaires were sent to 124 organisations of whom only 34 responded. These 34 had established 41 works

33. Hansard 7 columns 485-7, 20 March 1973.

34. Hansard 10 columns 632-4, 10 April 1973.

35. Hansard 10 column 691, 15 April 1975.

36. Rand Daily Mail, 22 May 1975. Cited in: Muriel Horrell and Tony Hodgson. Op.cit. p.212.